

THE  
**APPENDIX**  
TO THE  
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**CRITICAL REVIEW.**

**VOL. VI.**

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**BIOGRAPHICAL SKETCHES.**

**Dr. Smollet.**

The Critical Review, or Annals of Literature, commenced its publication in January, 1756.

In the plan of this Journal, Smollet, and his literary coadjutors, estimated the duties of the office they had assumed with justice and with moderation. They made strong professions of impartiality and independence; and, solemnly promised that they would revive the true spirit of criticism. That, they would never condemn or extol, without having first carefully perused the performance.... That, they would never act under the influence of connection or of prejudice.—That they would not venture to criticise a translation, without understanding the original. That, they would never wrest the sense, nor misinterpret the meaning of any author.... That they would not, without reluctance, disapprove even in a bad writer, who had the least title to indulgence.... And, that they would not exhibit a partial and unfair assemblage of the blemishes of any production.

Under these pledges, delicately fostered, criticism flourished in the sunshine of superior talent. Smollet en-

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gaged in the arduous task, with honest, unremitting zeal; and he wrote his ample share, with a skill and taste that proclaimed his judgment, and ensured success.

Such, then, was the FIRST SERIES of our Review; and such, we venture to hope, will be the acknowledged characteristic of its FIFTH SERIES.

It is true, the public pledge contained in our short address, is not, thus, lavish in its promised bounties, and our motives are obvious. We know, that the Union of talent and education promises much; but, we likewise know that it seldom parallels the vigorous mind, the native humor, the felicitous wit, the rich varieties, and the diffusive genius of a Smollet.

The satellites of Jupiter, however, glitter in the presence of that transcendant planet. To be excelled is not to be obscured. With Smollet for our leading star, we will, henceforth, adventure: and, even in the regions of his splendour, we will pursue our emulative course of monthly evolutions.

Perchance, it may be objected, that this Appendix attaches to the past year. Good !....But, to so captious a remark, we could reply, that it is, nevertheless, *our* work and modelled on *our* NEW plan.

It has been truly affirmed by the biographers of Dr. Smollet, that, 'of the writers of the present age, eminent for their intellectual endowments, who have reflected honor upon human nature in general, or, upon our nation in particular, few will be found more deserving of biographical notice, than the object of this compressed narrative. Whether we consider the utility and elegance of his literary composition, the force and vivacity of his mind, or the disinterestedness and independence of his spirit.

All, who read with feeling, will take an interest, and that of the liveliest hue, in details which relate to the lives of those, from whose writings they have been accustomed to derive both pleasure and instruction; we therefore announce, that, the ancestors of Smollet were long established residents in the county of Dumbarton, where, throughout the eventful changes of the times, they acquired considerable property, and were advanced to the highest stations in the magistracy, as well as otherwise distinguished by honourable offices in the state.

Tobias George, the youngest son of Archibald Smollet, was born in 1721, at the old house of Dalghurn, near

Renton, in the valley of Leven, lying between Loch-Lo-mond and the town of Dumbarton.

This valley, in which Smollet drew his first breath, and passed his infancy, is rarely distinguished by nature, in the beauty and sublimity of its surrounding scenery. This abounding imagery, very early in life, appears to have awakened his fancy to poetry; for, by the magic of his youthful pen, the banks of this valley have been metamorphosed into classic ground.

His ode to Leven water is distinguished by delicacy of sentiment, picturesque description, and simplicity of expression. The images are pastoral and pleasing—the numbers correct and harmonious. In short, he celebrates his native stream with the simplicity of an Arcadian shepherd. Time, however, has changed the rural virtues, occupations, and pastimes of its former inhabitants; who, within these few years, have been gradually retiring from the invading prevalence of manufactures, wealth, and corruption of manners.

In early childhood, Smollet disclosed a lively wit, united with a vigorous understanding, and his amiable mother directed his pursuits to the study of men and manners.

At Dumbarton grammar school, he acquired the rudiments of the classics, exhibiting, throughout the progress of his studies, decided proofs of the acuteness of his understanding, the fertility of his imagination, and the independence of his spirit.

From Dumbarton, at a proper period, he removed to the university of Glasgow, where he prosecuted his studies with equal diligence and success, and contracted a predilection for the study of medicine, which induced his friends to apprentice him to Mr. John Gordon, a surgeon of extensive practice, and a man of good sense, integrity, and benevolence.

Speaking of his master—subsequently Dr. Gordon—in the character of Bramble, in his *Humphry Clinker*, he says, ‘that had he lived in ancient Rome, he would have been honored with a statue at the public expense.’

‘Being born,’ continues his biographer, ‘to the prospect of no hereditary riches, and brought up amid scenes which chiefly recalled the memory of warriors and military exploits, he had early imbibed romantic ideas, and expressed a strong inclination for the profession of arms, rather than the profession which sent him,’

‘To wait on pain, and silent arts to urge,  
Inglorious.’

But the particular bias which his mind had received from early impressions, was thwarted by his situation: for, his eldest brother having chosen the profession of a soldier, his grandfather prudently discouraged the inclination he expressed to follow his brother's example, thinking he should be able to promote their advancement in separate professions more effectually than in the same line.

\* During his apprenticeship, he studied anatomy and medicine, under the different professors of the university, with sufficient diligence and reputation. These lectures, however, did not engross his whole attention, he found leisure to cultivate the study of general literature, particularly the belles lettres and poetry; and found opportunities, also, of enlarging his knowledge of the characters of mankind, which afterwards became his favourite study on a larger theatre.

We cannot record those early anecdotes which, at this period, developed the genius of young Smollet; but the late Mr. Colquhoun of Camstraddam, informed Mr. Ramsay, that, while at college, he wrote satires on his cousins; and, that Smollet's conversation, though lively, was one continued string of epigrammatic sarcasms against one or other of the company, for which no talents could compensate.

During his studies at the university, he wrote the tragedy, which was afterwards published under the title of 'The Regicide, or James the First of Scotland.' It is an extraordinary production for so young a pupil in the dramatic school of literature.

In his eighteenth year, young Smollet had the misfortune to lose his grandfather, who had, hitherto, maintained him respectably: and, in the year following, he ventured to London, where his tragedy, at the recommendation, as he tells us, of some literary friends, was taken into the protection of one of those little fellows who are sometimes called great men, and, like other orphans, it was neglected.

Although unsuccessful in their efforts to recommend his tragedy to the managers at the winter theatres, his friends succeeded in procuring him the situation of surgeon's mate to a ship of the line, one in the formidable armament about to proceed to Carthage. The ceremony of passing for his warrant, is fully described in his subsequent adventures of Roderick Random.

The failure of this expedition, Smollet describes to the incapacity and misconduct of the commanders.

\* The admiral was a man of weak understanding, strong prejudices.



boundless arrogance, and overboiling passions—the general, though he had some parts, was wholly defective in point of experience, confidence, and resolution.

At the return of this disgraced armament to Jamaica young Smollet quitted the service in disgust, and resided for some time on that island, where he became attached to Miss Nancy Lascelles, a beautiful and accomplished native, whom he afterwards married.

In 1746 he returned to London, and practised surgery, with the superior advantages of a liberal education, improved by foreign travel, and, by the experience he had acquired in the service of the navy. But, however qualified by study, or accomplished by practice, his success appears to have been very ill-proportioned to his merits.

About this period, the rash attempt to restore the house of Stuarts to the throne, for a while, elevated the hopes of the jacobites, and excited the indignation of the loyal people of Great Britain. The accounts circulated in England of the excessive severities practised upon the Highlanders after the inemorable battle of Culloden, aroused Smollet's indignation by offending that amor patriæ which had ever been a cherished feeling in his bosom.

He had been bred a whig, and the sensibility of his heart gave him the feelings of a jacobite. Smarting with the keen sense of his country's wrongs, he expressed his bitter resentment in his pathetic and sublime ode—'The tears of Scotland.'

In 1748, Smollet published his *Roderick Random*, which novel was supposed to contain the history of the author's life, under the disguise of fiction—it gained him more reputation than money. In course of the following year, he took his degree of doctor in medicine, and offered himself a candidate for fame and fortune as a physician, but from what university he obtained this distinction is unknown.

In 1750 he went to Paris to survey the characters of mankind on a new theatre, and soon after wrote his adventures of *Peregrine Pickle*, a work, which certain booksellers took uncommon pains to stifle at its birth. This, like his former work, contained many real characters and incidents, but the most remarkable is the memoirs of Lady Vane, the materials, for which, were furnished to the author by that unfortunate lady, who, in personal charms and in accomplishments was inferior to no female of her time. Her life, however, exhibits a heart-rending moral to her sex, by delineating the miseries inseparable from a misapplication of superior endowments.

Smollet failing of success, in his medical character, retired to Chelsea, where he assumed the profession of an author; in which capacity, his genius, learning, and industry, were eminently conspicuous. In him, the booksellers found the pen of a ready writer in the path of general literature, comprehending compilation, translations, criticism, and miscellaneous essays. During the progress of his authorship, his political principles were ever unqualified. To the whig administration of George II. he was uniformly, and sometimes indecently, hostile; while, his attachment for the tories, was unrewarded by the opposition leaders, and, the strong enmity he had formerly expressed against theatrical managers, closed the avenues against him, which might, otherwise, have conducted him to the most profitable branch of literature.

We do not propose to follow Smollet throughout his literary struggles, or to enlarge on his several works. They are known, and appreciated, by every reader of literary taste. His translation of *Don Quixote*, in which the character of Sancho Panza is so highly preserved, is irrefragable proof of his having inherited from nature a general fund of original humour; but his talents were versatile as striking: he had a strong sense of ridicule, and a familiarity of style that could adapt itself to every class of composition. He was, alternately, solemn and lively—he possessed a most inventive genius with a vigorous imagination, and was equally happy in the sarcastic, the burlesque, or the vulgar—rare qualifications for a translator of Cervantes.

But we must positively arrest our feelings. The memoirs of Dr. Smollet would occupy a volume with contending interests: his life was greatly chequered by vicissitudes, and his talents depreciated by envy and jealousy; but, since his death, his complete *History of England*, with the *Continuation*, has been frequently reprinted, and sometimes in splendid editions; and the metamorphoses of his novels from 24mo. to 8vo. have been too numerous to be particularized. New editions of his travels have been called for; from time to time, and his translations of *Don Quixote* and *Gil Blas* have been unceasingly reprinted.

\* The true character of Smollet, however, at the present period, when prejudice and partiality have, in great measure, subsided, will be better understood by \* an account of his life, than by any laboured

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\* Vide the life of Smollet, prefixed to his miscellaneous works, by Robert Anderson, M. D.

comment; yet, as he had the lot to be always more read than applauded, and less applauded than he deserves, it may not be superfluous to attempt to collect into one point of view his most prominent excellencies and defects, and to endeavour, by stating his literary pretensions, and estimating his worth, to ascertain the rank to which he is entitled among the writers of our nation, and to claim for him the respect which is due to his memory.

‘ In his person and manners, Smollet was fashioned to prepossess all men in his favour: his figure was manly, graceful, and handsome; and, in his air and manner, there was a dignity that commanded respect, joined with a benignity that inspired affection. With the most polished manners and the finest address, he possessed a loftiness and elevation of sentiment and character, without vanity, or affectation: his general behaviour bore the stamp of true politeness, the result of an overflowing humanity and goodness of heart.

‘ He was a man of upright principles, and of great and extensive benevolence. The friend of sense and of virtue, he not only embraced, but sought, occasions of doing good. He was the reliever of the distressed, the protector of the helpless, and the encourager of merit. His conversation was sprightly, instructive, and agreeable; like his writings, pregnant with wit and intelligence, and animated with sallies of humour and pleasantry.

‘ In his opinions of mankind, except when his personal political prejudices were concerned, he was candid and liberal. To those who were above him, he allowed the due superiority; but he did not willingly associate with his superiors, and always with a consciousness of his personal dignity, and with evident indications of pride and reserve. To his equal and inferior he behaved with ease and affability, without the insolence of familiarity, or the parade of condescension.

‘ With his amiable qualities and agreeable manners he united courage and independence. In the declarations of his opinions he was open; in his actions he was intrepid; often imprudent. A gentleman in principle, independent in spirit, and fearless of enemies, however powerful from their malignity, or formidable from their rank: no danger could prevent him from saying or doing those things which he conceived in themselves to be right, and in their consequences to be useful to his friends, or his country.

‘ He had been bred a whig, and generally adhered to the principles of that party, which suited the independent turn of his mind; but impressed with a regard for public order and national tranquillity, he maintained a great reserve on the principles of resistance and opposition, amidst acknowledgements of their just foundation, and a sense of the benefits which arise to mankind from their seasonable operation. Regarding liberty as one great basis of national prosperity, he was jealous alike of encroachments on political freedom, and of the abuse of it.

‘ He was so far a tory, as to love and revere the monarchy and hierarchy; he was so much a whig, as to laugh at the notions of

indefeasible right and non-resistance. He had a sincere love for his country, and a diffusive benevolence for the whole human race. His experience in the world inflamed his indignation against oppression, and his detestation of vice and corruption, in proportion to his love of virtue, and zeal for the public good: and, he thought it no violation of charity to stigmatise fraud, profligacy, and hypocrisy.

But, in his support of persons and measures, he sometimes considered only the persons and measures, without taking other objects and relations into the account. He was, more frequently, influenced by personal attachment, and hurried on by present impulse, than guided by comparative views of real advantage, examined by impartial reason. He was too apt to mistake the power of prepossession for the force of conviction. His opposition to men in power, often, in its warmth, exceeded the importance of the subject. He was, occasionally, misled by a heated imagination, strong resentment, and the mortification of disappointed hope, into bitterness and party violence, long kept alive by the indecent and irritating provocations of triumphant adversaries.

Under these impressions, his descriptions as a historian, were often distorted, and his decisions, as a critic, were sometimes warped by personal prejudice, and expressed in the harsh terms of contempt. He was jealous of his own fame, almost the sole reward of his labors, but he was not envious of that of others. He was easily provoked; but the vengeance he took was public, not circulated in whispers. Whatever end he pursued, he followed with an eagerness that was not necessary to compass it. The defects in his temperament, natural or habitual, made him unprosperous and unhappy. His sensibility was too ardent; his passions were too easily moved, and too violent and impetuous. His disposition was irritable, imprudent, and capricious; his candour frequently became incredulity; his liberality, often subjected him to deception: his favours were generally bestowed on the most undeserving of those who had recourse to his assistance, not so much from want of discernment, as from want of resolution—for, he had no fortitude to resist the importunity of even the most worthless and insignificant. He neglected sometimes to make use of the acute remarks he has made on the characters and conduct of others. In the domestic relations, his conduct was tender, affectionate, and exemplary. In friendship he was ardent and steady; and the cordial esteem of his friends and acquaintance is an honourable testimony to his moral and social character; but in the latter part of his life, he sometimes very feelingly bewailed the neglect and ingratitude he had experienced, in consequence of the mistaken connections he had formed, and to which every man of warm attachments will be exposed. He was known, however, to no man by whom his loss was not sincerely regretted.

In the practice of physic, for want of suppleness, application, and perseverance, he never was eminent. As an author, he was less

successful, than his happy genius and acknowledged talents certainly deserved. His connections were extensive, his friends numerous and respectable. He was intimately acquainted with the most eminent of his literary and poetical contemporaries; he was respected by the world as a man of superior talents, wit, and learning, and had rendered himself serviceable to men in power; but he never acquired a patron among the great, who, by his favour or beneficence relieved him from the necessity of writing for a subsistence. Booksellers may be said to have been his only patrons; and, without doubt, he made a great deal of money by his connections with them, and, had he been a rigid economist, he might have lived and died very independent. He was not of that turn of mind which disposes men to become rich, and probably could not have made a fortune in any situation of life. But his difficulties, whatever they were, proceeded not from ostentation or from extravagance. He was hospitable, but not ostentatiously so: his table was plentiful, but not extravagant. An irritable and impatient temper, and a proud, improvident, disposition were his greatest failings. In alleviation of his defects, let it be remembered, that a composed and happy temper, at heart at ease, and an independent situation, the most favourable circumstances perhaps to an author's fortune, was not the lot of Smollet. With a necessary indulgence of his frailties and errors, and making due allowance for a spirit cramped by a narrow fortune, wounded by ingratitude, and irritated by the malignant shafts of envy, dullness and profligacy, it would be difficult to name a man so respectable for the extraordinary powers of his genius and the generous qualities of his heart.

The predominant excellencies of his mind were fertility of invention, vigorous sense, brilliant fancy, and versatile humour. His understanding was quick and penetrating; his imagination lively; his memory retentive; and, his humour original. In the course of his literary career he had written variously and much. His writings must be allowed as proofs of a versatility, as well as fecundity, of talents, not to be disputed, and perhaps seldom or never exceeded by any writer in the same period of years.

In extent and variety of science and erudition he has been surpassed by many; but he shews in his compositions, that he was intimately acquainted with Greek and Roman literature, and had studied with success the various branches of modern learning. He had an extensive knowledge, not only of physic and the arts and sciences, but in moral and political philosophy, in ancient and modern history, in the laws and institutions of Europe, and, in the constitution and government of his own country.

But, the principal subject of his deliberate enquiry was the human character; and, in his literary progress, the representation of life and manners was his principal object. Man he surveyed with the most accurate observation. His understanding acute and vigorous, ~~was~~ well fitted for diving into the human mind; he had a strong sense of impropriety, and a nice discernment, both of natural and moral



beauty and deformity. His humour, lively and versatile, could paint justly and agreeably what he saw in absurd or ludicrous aspects. He possessed a rapid and clear conception, with an animated unaffected and graceful style.

‘ With much simplicity, he has much purity, and, is at the same time, both fertile and copious. His observations on life, are commonly just, strong, and comprehensive; and, his reasoning generally sound and conclusive. His perceptions of beauty and deformity are vivid and distinct, his feelings ardent, his taste correct. His satire is prompt and natural, yet keen and manly. His humour, tho’ lively and puerile, is not perhaps equal in strength and elegance to that of Congreve and Swift. In chastity and elegance it is inferior to that of Addison, but equal in purity and moral tendency to that of his contemporary Fielding. It is poignant, sprightly, variegated, and founded in truth: it successfully exposes hypocrisy, impropriety, and such vices as are objects of ridicule. To trace the latent sources of human actions, and to develop the various incongruities of conduct arising from them, was the favorite bent of his mind; and, in describing objects of this kind, whether in the way of fabulous narration, or dramatic composition, he is so peculiarly happy, that as a natural and humorous painter of life and manners, he has reflected the highest honour on the place of his nativity, and must even be considered by his country among the first of her sons in literary reputation.’

To conclude—During a residence in Italy, Smollet published, in 1771, his *Expedition of Humphrey Clinker* in 3 volumes 12mo.; in which, under the character of Matthew Bramble, whimsically fretful and misanthropic, he humorously represented his own failings.

This was his last publication. A life of labour, of honourable industry, and of many difficulties and disappointments, was now drawing to a close. He lingered through the summer, during which his strength, gradually, failed him; but he retained his lively humour, his fortitude, and his composure to the last. He died on the 21st of October, 1771 in the 51st year of his age. A plain monument is erected to his memory by his disconsolate widow, on which an admirable inscription, by his friend Dr. Armstrong, is modestly engraven.

ART. II.—*Charlemagne ; ou l'Eglise délivrée ; Poëme Epique.* en vingt quatre Chants ; par Lucien Bonaparte, *Membre de l'Institut de France.* Tom 2. Quarto. Pp. 392, 419. £6. 6s. Longman et Co. 1814.

This splendid poem we should have been disposed to hail as the finished labour of a Cincinnatus---the intellectual recreation of a vigorous mind, associating with an active fancy, to cheer the calm of unaccustomed retirement---but the author has forbidden us.—In his dedication to the Pope, he states, that  
 ‘ PROVIDENCE, *after a four years captivity, has reconducted him to the feet of his holiness.*”

So much for Italian gratitude! We really thought, that M. Lucien Bonaparte had *politically* exiled himself to the environs of Rome---that doubts of his personal safety had conducted him to Malta ; and, finally, that *terror* had driven him to seek his only Asylum in this Country.

When it was asked, in writing, of a deaf and dumb youth, ‘ What is the meaning of gratitude?’ he replied, with every feature highly animated---‘ It is the remembrance of the heart.’ We leave it to casuists to decide on the ‘ remembrances’ of that heart which could, deliberately, record to posterity, that an *alien*, the brother of a usurper, had sought protection, in his misfortunes, from the humanity of the English nation, and, that they loaded him with captivity!

This holy dedication proceeds to state---‘ Pendant ces années d’épreuve’---*during these years of probation*—I have completed the long Poem, which, in its early progress, you condescended to dignify with your approbation. It dwells on the precious remembrances, contained in his holiness’s letters, which supported the *Captive*, his wife, and his children, in their *Captivity*!

This poem was began ten years ago in the neighbourhood of Rome ‘sur les Monts de Tusculum’ whither the *royal fugitive* had retired. It was continued during his residence at Malta ; and was concluded, as he emphatically repeats, during his *captivity* in England. The poem is written in sweetly harmonious numbers, elegantly adapted by the author to his subject ; but it does not boast a poet’s fire. It is composed of twenty two cantos ; each consisting of, from forty to fifty, ten lined stanzas ; and, is dated May, 1814.

The argument recites, that in the eighth century, the emperors of Constantinople were reduced, from their sovereignty in Italy, to the limited possession of some scattered provinces around the confines of the present kingdom of Naples. The result of this revolution was, that the citizens of Rome, cordially appreciating the blessings they enjoyed under the paternal solitudes of a sovereign pontiff, refused to acknowledge any other supremacy. The Lombards, however, were loud in their hereditary claims, derived from conquest, and these they resolved to maintain. In this extremity, Pope Gregoire III. implored the aid of Charles Martel, a royal Duke of France, whose recent victory over the Saracens had acquired to him the title of 'Saviour of Christianity.' The operations of Charles Martel silenced the ambition of Luitprand the Turkish prince.

But Astolphe, the successor of Luitprand, renewed his pretensions, and actually besieged the city of Rome. Pope Etienne III. thereupon, sought succour from Pepin, the son of Charles Martel, then king of France. Pepin assembled his Parliament, in whose voice, he declared war against the Lombards. In this contest, Astolphe was wholly defeated; when, the temporal authority of the Pope was, unmolestedly, established on the free suffrages of the Roman people, guaranteed by the crown of France.

At the death of Astolphe, the Pope, uniting with the king of France, invested Didier with the crown of Lombardy, in the presumption, that a monarch of their own creation, would willingly repay his exaltation, by confirming the repose of the Romish Church. But, at the death of Pepin, Didier openly renewed his dormant pretensions; and, having strengthened his power by an alliance with Constantin, an excommunicated Greek Prince, and by the intermarriages of his two elder daughters with Jasillon, duc de Baviere, the most powerful of the German potentates, and, with Ezelin duc de Bénévent et de Salerne, and reigning Prince over those provinces now composing the kingdom of Naples---his next policy was to close the passage of the Alps against the Pope's zealous partisans in France, who had been accustomed to cross those mountains, to defend the holy siege.

To effect this desideratum, he offered his third daughter, in marriage, to Charlemagne the elder son of Pepin; and, that Prince, to accept the offer, repudiated his lawful

wife. Pope Adrien denounced the vengeance of the church against this scandal; but, Charles persisted; and publicly espoused the Lombard \*Princess. Didier, now, assured of the neutrality of France, advanced his forces to the invasion of le Duché de Spolète. At this epoch, one year after the marriage of Charlemagne, the action of this narrative commences.

In the construction of an Epic Poem, our author observes, that Homer, and all his imitators, created Gods distinguishable either for all the virtues, or for all the vices. This variety of divinities may be essential to the embellishment of Epic composition; but the heathen mythology abounds in fancy; whereas, religion can only be portrayed with sublimity of thought and energy of expression. The one may be termed the beautiful in poetry---the other must be dignified as the sublime. Allegory may ornament light poetry; but to elevate the mind, we must impress it with the grandeur of moral truth.

Pope Clement, in a letter to Voltaire, observes---‘I am of opinion, that the intervention of Gods, of angels, and of saints, are improper to give life to our poems. Let Homer celebrate his Mars, his Juno, his Vulcan, and his Venus; but the rites of our religion embrace awful grandeur, and disdain the adventitious aid of frivolous embellishment. The marvellous, notwithstanding, is inseparable from epic composition. The poet must be inspired---he must feel a divinity within him: like the prophets of old, he must peruse in the heavens the will of providence: he must decipher the bonds which contract human events with the will of the Almighty: the whole action of his poem must breathe an air of the marvellous. We should be taught to feel the omnipotence of God, and to witness the obedience of his creatures. From the beginning to the end, we should see the impulse of superhuman agency directing the thoughts and actions of mankind; and we should behold the divinity, as HE IS, all powerful, all merciful, and omnipresent.’

With this lesson, the religious Lucien aspires, although not successfully, to introduce the marvellous, and to give grandeur to his action: to animate his descriptions with divine fire; and, to reject the fairy legion, as ini-

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\* Bonaparte's Pope was not quite so religiously scrupulous with regard to the ill-fated Josephine.

mical to the majesty of his labours. He compares the poetry of Virgil, Homer, Dante, Tasso, Ariosto, Corneille, Racine, Voltaire, and others; and, after essaying a variety of numbers, he has adopted those, which to his genius, appear best suited to harmonize the grandeur of his subject.

From our poet's awfully magnificent picture of the inmates of Hell, we extract the following passages.

‘ Chant 9. Stan : XXIV.

‘ L'intrépide brigand, qui du pays Latin  
Ravagea si long temps la paisible contrée,  
Que la voix des flatteurs fit descendre de Rhée,  
L'assassin de Rémus gémit près de Cain.  
Ce fils d'Olimpias, ce mortel temeraire,  
Qui du Dieu de tonnerre  
Osa se dire issu dans son aveugle orgueil,  
Dont le vaillant Clitus éprouva la furie,  
Et qui couvrit dix ans tout l'orient de deuil,  
Scander verse des pleurs sur sa prolongue vie.

XXV.

‘ C'est en vain qu'il domta la moitié de la terre ;  
C'est vainement qu'il fut le premier des guerriers ;  
Il est au sombre bords avec les meurtriers,  
Tandis que parmi nous une gloire éphémère  
Environne le nom de ce vainqueur fameux.  
Ce triumvir heureux  
Qui du noble César démantent la Clémence,  
Décima sans pitié les Romains épurdus,  
Octave relisant ses listes de vengeance,  
Gémit avec Antoine auprès de Lepidus.

XXVI.

D'un règne de trentes ans la paix et le bonheur  
Et les brillant pinceaux de Virgile et d'Horace  
D'Octave triumvir ont effacé la trace ;  
Mais le meurtre jamais n'échappe au ciel vengeur.  
Plus loin Domitius, assassin de son frère,  
Assassin de sa mère,  
Voit toujours un poignard qui menace ses flancs.  
Sénèque qui loua le meurtre d'Agrippine,  
Vil orateur du crime, et flatteur des tyrans,  
Epreuve au milieu d'eux la vengeance divine.



## XXVII.

‘ Dans la troupe maudite on voit ces homicides,  
Qui de leur propre sang méconnaissant la voix,  
Et cachant leurs forfaits sous le manteau des lois  
Immolèrent leurs fils de leurs mains parricides.  
Ici, Timoleon gît pris de Manlius ;

Ici, les deux Brutus,

Laches ambitieux, héros d'imposture.....  
Qui, malgré les clameurs de l'aveugle univers,  
Les premiers des liens sont ceux de la nature ;  
Et celui qui les brise appartient aux enfers.

## XXVIII.

Parmi ces assassins que des rois sont comptés !  
L'Orgueil d'un vain pouvoir a causé tous leurs crimes,  
Clotaire et Chilperic entassant les victimes,  
Frédégonde levant ses bras ensanglantés,  
Athalie égorgeant tous les rois de sa race,

Par leur cruelle audace

Sur un trône incertain crurent se raffrenir :  
Quel était, malheureux, votre espoir éphémère ?  
Pensiez-vous à vos loix soumettre l'avenir,  
Et du fond des tombeaux régler encore la terre ?

## XXIX.

La folle ambition, dans ces calculs avides,  
Fonde ces grands projets sur des sables mouvants ;  
Un atome suffit pour perdre les tyrans :  
Du sort le moins prévu les mouvements rapides  
Viennent leur arracher le fruit de leurs forfaits ;

Ou bien si le succès

Semble les couronner d'une gloire éclatante,  
Ils triomphent un jour : Mais bientôt a grand pas  
L'Eternité parait, terrible, menacante,  
Et plonge leur orgueil dans la nuit du trépas.

Positively, Mr. Lucien Bonaparte, at this passage, is no flatterer. He disdains to conceal the truth, even though the avowal may *chance* to wound the *honorable* feelings of a fallen brother.

The Ex-emperor, with an active mind, is described to be a great patron of the arts, and a profound reader. Should this poem find the way to his Elba library, with what emotions will he read the above extracts !

That ‘ intrepid brigand, Alexander the Great,’—the murderer of his friend Clytus—is doomed to linger in

torments with Cain: he is, moreover, execrated as the ruthless author of a ten years mourning throughout the eastern world.

What a prospect for the murderer of the Duc d'Enghein, the poisoner of Jaffa, the burner of Moscow, the ravager of Italy, and the scourge of that 'paisible contrée,' ill-fated Switzerland!

In vain...says our poet....did Alexander conquer half the universe....In vain, was he styled the first of warriors: he, now, mingles with murderers in the infernal regions, while a poor ephemeral glory, in this world, scarcely glitters round the venal memorials of his proud achievements.

Seneca is associated in a groupe with the two Brutus. Seneca, the moralist! but our poet believes in Tacitus, who represents that philosopher to have been the base flatterer of tyrants, and the abject apologist of murder. Tyranny is the offspring of ambition, and ambition is the deadly hate of Lucien Bonaparte. Yet he extols the 'noble Cæsar,' as Virgil does the 'pius Æneas;' these, however, are poetical licences.

We find hell peopled with every description of human monster; but, at ambition, our author hurls the red-hot bolt of his poetic thunder.

How shall we account for these opinions! they were written by Lucien *the captive*, when his brother rioted in all the guilty plenitude of arrogated power; and, when Europe trembled at his terrific nod.

Now, considering the *virtuous* Lucien Bonaparte NEVER was ambitious; NEVER a republican; NEVER a notorious plunderer; his wrath against this particular species of crime, is a most natural passion in an honest bosom.

'How many assassins,' says he, 'do we find among the Histories of Kings; ambition has been the daring motive of their crimes; but ambition, when most exalted, stands on the perils of a quicksand. A single atom has strength to overthrow a tyrant; and, from events, least comprehensible to human intellect, a fated whirlwind wrests from his impotent grasp the whole treasure amassed by his infernal machinations. Success may, for its hour, throw a radiance round the gloomy brow of Tyranny; but, all this worldly glory fades, like an exhausted meteor, when eternity, clad in terrible array, obscures the vanities of man in everlasting night. Our first law, is the law of nature; and he who

breaks that sacred bond, is destined to the torments of the damned!"

We pause....at least to doubt....whether this pious rage originate in virtue, or in fraternal hatred. If the latter, how much cause had the captive Lucien to rejoice in his fetters!

These reflections are torn from us, by the spirit of our author; but we will restrain our feelings to pursue his poetic labours.

Most probably, Mr. Lucien has taken Dante and Milton for his models, in the construction of this Canto; not, we presume, with a vanity to rival their transcendent talents; but, with praiseworthy emulation. Of this he may be assured, his *Charlemagne* will long live to be valued as the production of an accomplished genius. His best intellectual faculties are called into action; and, although his labours may not, critically, excite extraordinary wonder, they cannot fail to impress the reader, with a conviction of his classic endowments, as well as his poetic taste.

Still, in our mind, this work is more the offspring of policy, than of morality: the author is either a bigot or a hypocrite; perhaps, both. His labours finished, and his iron bars removed by the unresisting abdication of his pusillanimous brother, we find Lucien Bonaparte fluttering his wings of liberty, which speedily wafted him to the foot of the pontifical throne. His dedication was accepted by the pope, who rewarded 'his son in Jesus Christ,' with the title of a Roman Prince. Here, we find the simple 'membre de l'institut de France' playing a high political game; and, it is truly said of him, by the most nervous journalist of our day, that he has not grown into good graces since his elevation. It was all very well to return to Italy, and live on a good estate; and even to go to the pope's court, if it would have been thought a piece of incivility to do otherwise: neither, may it be, altogether, objectionable to have accepted a title from his holiness, which was, perhaps, from the same cause, not well to be avoided. But, to be busy in communication with that person, to dedicate his poem to him, in terms of submissiveness, two centuries old, to make dilettanti parties with such creatures as Charles IV. of Spain, and the prince of peace, to read, in these parties, verses in praise of their government, when he

was ambassador at Madrid---involve, in our minds, so much palpable face-making---so much voluntary falsehood to his own conscience....so much bad want of pride.... and so much petty revenge against his brother....that, unless accounts be as false as appearances, he must lose with the respectable, all the effect of his late retired life; and, instead of an independent man and a philosopher, he must be content to be regarded as the weakest and paltriest of his family.

We learn that the translation of this poem into English rhyme, has been, already, undertaken by the Rev. S. Butler, D.D; and by the Rev. T. Hodgson, A.M. gentlemen, well qualified to the task.

**ART. III—***De l'Etat de la France, sous la Domination de Napoléon Bonaparte.* Par L. A. Pichon, ancien chargé d'affaires et Consul-général aux Etats-Unis, et ancien Conseiller d'état, et intendant général du trésor en Westphalie. 1 tom. Pp. 298. Paris. J. G. Dentu. 1814.

THIS work was published at Paris, on the 12th April, 1814; and, is one of the many bold effusions, which the dawning liberty of the press in that capital, gave to the indulgence of public curiosity.

The author, in his own person, affords to us a glaring instance of the instability of human greatness, when cultured in the pernicious hotbed of despotic influence. He is announced to us, divested of those dignities with which he had formerly been capriciously invested, and we receive him, on his return to Paris, after a banishment of eight years from his country, his family, and his fortune.

Inspired with the independence which restored monarchy had granted to the avowal of individual opinion, he sits down to describe the situation of his country under the dominion of Bonaparte: a period, which, by restraining, had almost obliterated the faculty of reflection, and reduced a polished and a learned nation, to the degradation of instinctive human beings!

The volume before us contains a detail of the author's services under the Prince of Benevento, in which capacity he acquired a more than ordinary facility of becoming acquainted with the secret springs by which the state

machine had been accustomed to make its terrific movements, at the guidance of a Machiavel. The cause of his disgrace is thus avowed. He had the imprudence in the year 1803, while residing at Washington in America, to express his undisguised sentiments on the short peace of Amiens; and Jerome Bonaparte being present, he was instantly denounced by him, at the court of France, and the most humiliating disgrace followed his temerity.

In perusing this work, we discover how France, in her republican efforts to attain liberty, pursued a delusive phantom, which, throughout the complicated mazes of civic horrors, conducted her to the dreary extremities of national anarchy. In the vain hope of well-digested reform, she consigned her too credulous sons to the *paternal embrace* of Bonaparte, who, with a demon's grasp, wrested from them all the dearest and most sacred rights of humanity.

Thus, for a period of five and twenty years, has this devoted country, abandoning her prosperity, and trampling upon her legitimate constitution, pursued a career of those bloody vicissitudes, which are inseparable from the frenzies of revolution; and the only change she experienced was, a translation from one system of tyranny to another still more diabolical.

Speaking of Bonaparte, our author says, if the talisman of truth could be applied to the heart of this man, the following would be his confession.

‘I became a principal actor on the political theatre of France, at the invitation of the reigning faction—the faction of Barras—pre-eminent in venality, and monstrous in desperation.

‘On the 18th Brumaire, I found myself seated at the head of the government. Here, I discovered a nature dead to every feeling of humanity, but glowing with boundless ambition. I was a novice in the art of governing, and associated round my persons, men of talent, the delegates of the nation, the representatives of every party. It was the duty of these people to have guided my actions. But, what has been the result of their ten years council? In my downfall, who are the most violent among my accusers? Those, who during my power have been dearest to my confidence—those, who in that period, filled my mind with the most daring and unnatural projects...those, who planted poisonous seeds in the constitution, in the dreadful vegetation of which, I am now made solely answerable.

‘For ten years, the constant maxim of these counsellors



was---the French people to be happy must be held in bondage; and this was their foreign policy. All Europe, they assured me, was in a state of revolutionary ferment; by artfully appearing the soother of their disease, I was allured to prolong their suffering, till universal anarchy should give me universal sovereignty.

'Under the mask of opposing revolution, the Royalists and the Revolutionists, mutually, involved me in perpetual revolution; and, goaded me to acts destructive of all good order. Their united influence lighted up a general flame of despotism, unquenchable as destructive.

'By the constitutional authorities I was instructed, that the people were not entitled to the formality of a constitutional government. Laws, civil and criminal, were made at the caprice of the great law officers, the crime of signing them, alone, attached to me. Commerce and public credit were objects of ridicule with my financiers, and, those of the most profound talents, tortured language into unheard of panegyric, to exalt my virtues, and to immortalize my glory!

'My smile was the 'consummation devoutly to be wished;' and these base sycophants became colossal in fortune and in honors, in proportion as I grew a monster in every variety of crimes!

'Yet, am I told, that in my terrors, I acted alone...that I had no accomplices!

This is a dreadful tale; and, as we fear, no fiction! But whom does it attack? The very individuals, alas! whom policy still attaches to the restored house of Bourbon.

This is a magic volume, that forcibly uplifts a mystic veil with patriotic magnanimity. I am well aware, exclaims the author, that my bold opinions may be termed the language of a madman. Great God! what would be the just conclusions of Europe at large, if, at the moment of our emancipation from the oppression of misery unparalleled, we still continued to wear the degrading badge of slavery? Shall we fear to disclose with freedom, with independence, and with publicity, the infernal machinery of our long protracted slavery? If, indeed, the fall of tyranny do not release us from these humiliating fears, what blessings can be said to await us? If we were thus abject, could we dream of emancipation? Could we fondly contemplate the benignant charms of an organized government? No! the balance of political power...the responsibility of ministers...the repre-

sensation of the people....the public weal....ALL....would dwindle to a shadow!!!

The course of this work includes the character of Bonaparte....the cabinet council....the promulgation of the laws....the senate....the legislative body....the different ministers....the finance....the police, &c. &c. &c. and, in short, develops the whole system of Bonaparte's government.

Frivolous, unstable, infatuated people! Madmen, who in the paroxysms of republican fury, overthrew the statue of Henri IV. to place a Bonaparte on his pedestal! 'Notre bon Henri,' as he was familiarly called by his people. Let us consider the claims of that magnanimous Prince to the unfading veneration of his fickle countrymen.

Henri IV. says the President Hamault, was the best king that ever graced the throne of France. He was her general and her minister. He united candour with policy, and nobility of sentiment with simplicity of manners. He was a prodigy in valour, and a cherub in humanity. His words were candour, and his actions goodness. He modelled the public finance on principles the most admirable. He regulated his police, disciplined his armies: justice sat pre-eminent in his courts of law: he gave peace to contending religions; and domestic comfort blessed the poorest fire side.

These were his virtues....his failings were, a love of play, and a devotion to women; but let the severe moralist ponder on the sentiments of this royal libertine.

'I would rather,' said he, 'lose ten mistresses than one Sully.' And, at a time when confined by an alarming illness, he said affectionately to his illustrious minister, 'My friend, you know I have no fear to die, for you have often seen me brave death in the midst of contending perils; but, I lament to quit this life, without having testified to my people, *by my actions*, that a king may love his subjects as dearly as if they were his children. If it should please God to prolong my days, my great ambition will be, to enable the lowliest of my subjects to boil his pullet for his Sunday's dinner.

Alexander the Great knew well how to estimate popularity, when he said to his son, upon an occasion —

Vides, mi fili, quam levis discrimen pastibulum inter et statum?

**ART. IV.—*Histoire Militaire des Français*, depuis Pharamond jusques et compris le regne de Louis XVI. suivie des notions necessaire à l'intelligence de cette Histoire—d'un précis sur la composition des armées ; le mode des Levées ; le temps de service ; l'établissement de la solde ; la designation des differens corps ; la forme des armes offensives et défensives avant et depuis l'invention de poudre ; les grades ; les peines et les recompenses militaires—de notices raisonnées sur la vie et les actions des principaux capitaines ; et terminée par un table Chronologique des batailles memorables et des traités de paix celebres depuis 451 jusqu'en 1783. 3 toms. Pp. 616. 618. 644. A Paris. Valade. 1813.**

WE are greatly surprised to find a work, so important in its object, and so immediately calculated to give celebrity to its author, announced without a name. It is, nevertheless, well worthy the attention of military men ; and, the more so in this country, since a long and disastrous succession of general hostilities has taught our armies to know, and to value, the art of war.

This history opens previously to the beginning of the fifth century, when Gaul, conquered by Julius Cæsar, became tributary to the Romans, and wore their badge for a duration of nearly five hundred years. This rich conquest was, however, at the close of that period, arrested from their sovereignty by three German nations, namely, the Visigoths, who settled in the south ; the Burgundians, who settled in the east ; and the Franks, who settled in the north.

This vast country, subsequently the scene of continual bloodshed, at length submitted to the strongest power. The Franks were its proud conquerors ; and it was governed by their laws. From Clovis to Napoleon le Grand, we trace, in this work, the military history of a country, celebrated for its conquests, enriched by the arts, and pre-eminent in the political scale of Europe.

The different reigns of intermediate kings are given in chronological order ; and the art of war is developed throughout an emulative progress to improved civilization, in the various battles won and lost during this vast period. A brief biography records the valour of many illustrious heroes ; and, in short, a general history is compressed within this valuable military detail.

No country is better calculated than France to afford materials for a military history. During the government of Bonaparte, a military depot was organized in Paris, which

held communication with every officer commanding on service; and, to this depot, the latter regularly transmitted Memoirs, including the topography of their march, with observations on all surrounding positions, and these were regularly recorded, compared, and digested, by experienced officers appointed to that duty.

Bonaparte was, unquestionably, a great general. He led his armies to frequent victory, and enriched them with plunder. To his armies, therefore, his name continues to be dear; and we only regret, that he should still exist, from principles of mistaken honor, to cherish an attachment fatal to the repose of France, and injurious to the welfare of all Europe.

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## HISTRIONIC SKETCHES.

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### *Kemble & Talma.*

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These gentlemen, we understand, to have been contemporary students at the Jesuits College; and, to the enlightened instructions of that, then, pre-eminent academy, they stand indebted for the superiority of their classical endowments.

In their riper years, whatever else the wishes of their friends, each appears to have been devoted, by taste, to the attainment, and, by assiduity, to the perfection, of the dramatic art. And yet, nature has very partially assisted their ambition. Mr. Kemble's person is noble.....M. Talma's is almost diminutive; but each presents us with a bust, so truly Roman, that it might serve a statuary for a model.

Talma's features are rigidly marked; but his eyes are so quick, and so piercing, that they diffuse variety, and apparent flexibility, throughout his countenance. Kemble's animated features are exclusively adapted to a delineation of all the loftier passions of the soul. Talma's voice is rich, even mellifluous, yet it is susceptible of all that heroic climax, which the poetry of Voltaire exacts from the declaimer. Kemble's voice is, altogether, unmusical; still, it is so obedient to his art, that it electrifies in *Coriolanus*, and subdues in *Cato*.

In the former character, we never beheld Kemble. It is the spirit of the proud, inflexible, imperious, hero of Corioli that commands our admiration.

In Cato, we see all the milder passions of the human heart expressed in declamation, exclusively, the province of a scholar and a gentleman.

Shakespeare, in his poetry, pursues gradation of feeling; and, the sublimity of his pathos is exquisitely shaded by delicacy and grace. Voltaire, on the contrary, is impetuous; his delineations of the human mind are conceived with gigantic vigour: they are imperative, never insinuating. But, in one essential excellence, the genius of these two great actors assimilates. We mean, in what is termed the bye-play of the piece.

Talma, released from the fetters of his author, is eloquent in silence. He unfolds his natural sensibility; he freely displays a masterly acquaintance with the minutest affections of the heart. To substantiate Kemble's perfection on this head, we will merely direct our reader's attention to his Cato, when the approaching bier, announced by muffled drums, advances with the dead body of his son.

Here, Mr. Kemble, surpasses all expectation. To his obedient features, he communicates the sterner virtue of the Roman father; but during the solemn pause of the procession, while Stoicism is firmly stamped on his expressive countenance, we discover the inward workings of a parent's sorrows. His bosom heaves with repressed, yet violent emotion. Every sinew of his bare neck swells almost to bursting...the conflict is agonizing...he is nearly suffocated by nature; till, at length, the Roman triumphs; and, with an air of exultation, turning to view the corse, Cato exclaims: 'Thanks to the gods, my boy has done his duty!'

Talma, however, is the idol of the French stage; and, we have seen Kemble, lately, in his best characters, at almost empty benches. The French are said to be light, puerile, and fantastic, in all their pursuits. What shall we say of the English, who run after every trifling gew-gaw, with as much eagerness, as Peter Pindar tells us, Sir Joseph Banks, pursued the 'Emperor of Morocco.'

Popinjays...who, for the capricious indulgence of an ephemeral novelty, with their eyes wide open, relinquish every pretension to truth, taste, judgment, or feeling!



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 Mr. KEAN.

We speak of this popular performer alone. Fashion has placed him on an eminence, from which he is taught to look down on his contemporaries, and to smile contemptuously on all who arrogantly aspire to rival his supremacy. We do not say this, in disrespect to Mr. Kean; it is not his fault: let him, however, remember that he who is suddenly exalted by caprice, may, as suddenly, fall, even beneath his own level.

That Mr. Kean possesses an active, untutored, genius, we are desirous to admit....but, we deny, that he possesses judgment to model its course. His great forte is originality; and, originality of conception, united with grandeur of action, are powerful theatrical attributes. But to what object is this talent directed? To new readings of Shakespear, by a very young man, whose life, like that of Silvester Daggerwood, has been devoted to the enaction of every species of dramatic mummery, from Alexander the Great to Harlequin, in a petty provincial theatre.

Persons accustomed to look through false optics, and, flattered in their delusion, seldom like to peep into the mirror of truth. We do not, now, hold it up, 'to wound, but to amend.'

Not to be diffuse in our retrospect, we will select Garrick from the old school, and enquire what were his deficiencies in the reading of Shakespear. Dramatic critics tell us, he was a scholar, a wit, a gentleman; and, so peculiarly gifted by nature, that he was, equally, the chaste representative of tragedy and of comedy.

May we not, therefore, presume he could read Shakespear as well as Mr. Kean?

We will put the latter to the test.

We well remember being half killed, in crowding to the third row of the pit, on Mr. Kean's debut in Hamlet. It was the first time we had seen him, and the impression, at his appearance, was indeed unfavourable. His approach, was not marked with the deep-toned melancholy of the Danish prince; but, with an air of shrewd suspicion, which the vivid glances of his inquisitive eyes proclaimed to be the ruling action of his mind. But this novelty was soon lost in others equally absurd; till, in his scene with Ophelia

lia, where he rudely desires her to retire to a nunnery, he suddenly arrested his hurried exit; and, in a solemn pace, returned to kiss the lady's hand.

It is not easy to describe the pealing applause, that almost without ceasing, thundered through the house. It, now, vibrates in our ears. What shall we say? In candour we will admit, that the treatment Ophelia receives, in this scene, from Hamlet, is always repulsive to our finer feelings; but we went to see the illustration of Shakspeare's text; and, the propriety of this, as it were, unpremeditated tenderness, is contradicted by the subsequent speech from the king, on quitting his concealment with Polonius.

If, therefore, this new reading were agreeable, it was, evidently, unclassical. We will not speak of the person and accomplishments attributed, by our immortal poet, to his Hamlet, for Mr. Kean's physical deficiencies are not objects of our criticism; but we will say, that all the sublime soliloquies in Hamlet, require the polished declamation of a scholar: and, that a prince should always bear the outward and visible characteristics of a gentleman. In this reasonable expectation, however, we were much disappointed, particularly in the grave scene.

Mr. Kean's fencing has been loudly applauded. But we were taught by the late Angelo, that safety ought never to be sacrificed to grace; and, Mr. Kean's attitudes constantly exposed him to danger...his *allonger* is much beyond the power of recovery. But, then, he dies so admirably!...Granted.

In Richard, Mr. Kean has a more natural scope for his abilities. His countenance is peculiarly susceptible of great variety, and his eyes are irresistible. The meaner passions of human nature are best suited to his talents. His hypocrisy is admirable; but, when Richard is divested of all art, and appears towards the close of the play, in his natural character...the brave, lofty, and desperate tyrant, is lost in insignificance. Mr. Kean has no skill in dignity.

In Iago, he is too much the barefaced villain. Even the confiding, generous, noble minded Othello, must have been wrought into suspicion by perfidy so glaring. In Othello, he wants every attraction. The magnanimous Moor displays his virtues in grandeur. The beautiful Desdemona, full of her sex's softness, yet capable of fortitude, could never have fallen in love with such a black-man as Mr Kean.

On Macbeth we shall be silent; it is an effort of temerity which, we presume, nothing but blind popularity could ever induce Mr. Kean to attempt; but, of Romeo, we will say a few words.

We are told in panegyrics, laboured through whole columns of the daily press, that, in this character, Mr. Kean surpassed himself. He gave new beauties to his Romeo--he was, forsooth, a heroic lover!

Monstrous idolatry! Romeo...the pretty, whining, romantic, love-sick Romeo...a heroic lover! 'O, tell it not in Gath; nor publish it in the streets of Askalon!' These are, indeed, new readings with a vengeance!

Luke is, unquestionably, Mr. Kean's best performance. Like the M<sup>c</sup>Sycophant of Cooke, it seems to be altogether his own. In that character, he may be tame with servility, and imperious without nobility---No one will even ask him to look like a gentleman.

#### MRS. SIDDONS AND MISS O'NEILL.

We do not class these ladies in obedience to our own judgment; but, in compliment to the host of critics who have made it, daily, fashionable so to do. We are not, thank God! so destitute of common sense, as to compare a young novice, whatever her promise, with a retired actress, inimitable throughout a long series of dramatic excellence. But, independently of this consideration, we would not do it, because, no two human beings, appearing in the same characters, can possibly display more distinct talents.

Mrs. Siddons possesses a mind which towers above her sex. She is the personification of nature...not with its ordinary attributes...but, arrayed in all the loftier energies and commanding passions. Her's is not simplicity ornamenting the witchery of youth and loveliness; but, it is a majestic fortitude of the mind, swaying a despotic sceptre over the tributary feelings. A twin mould formed her brother for Coriolanus, and herself for Constance, Lady Macbeth, and Queen Katharine.

Never, we trust, will the good sense of Miss O'Neill, willingly, tempt her to these scenes. She is mild without insipidity--gentle, yet dignified; full of overflowing tenderness, yet full of captivating modesty. With her, the

ardour of a wife's embrace, is more fervent than we have ever witnessed on the stage ; but it is so chaste---so purely the divine impulse of conjugal tenderness, predominating in every fibre of her heart, and glowing in every feature of her face, that the most sentimental prude may gaze... admire---applaud !

In Isabella, memory so clings to the unfading triumphs of Mrs. Siddons, we almost shrank from the indulgence of a hope, that the character could be revived with any pretension to success. Yet---it has been revived in a way that must also leave its indelible impression.

Miss O'Neill's superiority is confined to two scenes. That, in which she kneels to implore protection for her boy, from his unnatural paternal grandfather. Heavens ! what a picture she exhibits of maternal worth ! And, that, in which she fully recognizes Biron, when, in the frenzy of her joy, she forgets, for the moment, that she has a second husband.

But, in her address to the ring, where Mrs. Siddons was accustomed to paralyze---where she aroused insensibility, and dimmed the vision of her agonised audience, Miss O'Neill restrains her passions within their native bounds ; and, by not presuming, charms.

Isabella, however, is not an ordinary woman. We turn to Mrs. Beverly : and, in so doing, we will make one or two prefatory observations.

There are certain delusions in the scenic art, so operative in their magic, that sober judgment yields, for the evening, to their potent influence. Of this description, was the Lady Teazle of Miss Farren. It was impossible to gaze on her highly-finished drawing of a woman of fashion, without forgetting that her ladyship was a mere rustic beauty, just transplanted, from obscurity, into the regions of haut-ton. Her graceful manners, and accomplished smile, threw an oblivion over the country Miss, whose elegant amusements had been confined to a game at put with the curate---combining her aunt Deborah's lap dog---and drawing patterns for ruffles, she had no materials to make up.

When Mrs. Dickens, in the Beggar's Opera, electrifies her audience with a brilliant display of contending science and execution, we forget the simple ballad that Gay destined for a jailor's daughter. And, when Mrs. Siddons gave heroism to the character of the unassuming Mrs. Beverly, she invariably cheated us of every effort at criticism.

But, who is the Mrs. Beverly of Miss O'Neill ? She is

the exemplary wife drawn by the author; and, nature has peculiarly enriched Miss O'Neill with talents for the delicate representation. Her voice, in its lower tones, is as clear and distinct as that of Mrs. Siddons; but it is deficient in that lady's depth and boundless capacity. Happily, the latter endowment is not essential to Mrs. Beverly.

Miss O'Neill's countenance is beautiful; and, susceptible only of the passions of love and grief--but, then, Mrs. Beverly's attractions are wholly independent of the fire of Mrs. Siddons's eye, the grandeur of her disdain, or the heart-rending variations of her authoritative features. We feel that Mrs. Siddons tyrannized over our passions. Yet, we are content to suffer Miss O'Neill to steal our hearts.

We could linger, with enthusiasm, on every scene of this play. At the opening, we behold a female characterized by all the softer allurements of her sex. A young, lovely, and ill-fated wife, bred in accomplishment, nurtured in affluence, and familiar with all the elegancies of life, but self-divested of the pageantries of distinction, and clad in a humility proportioned to her fallen fortunes. Proud, only, in her firmly-rooted attachment to a desperate husband, she clothes her lovely countenance in smiles; and, with persuasive vivacity, advocates that beloved husband's cause with his offended sister. The sweetness of her voice, the elegance of her manners, and the ensemble of her lady-like appearance are, in themselves, enough to captivate the most fastidious; but, when a chastened taste, refined judgment, and exquisite sensibility, combine, with these minor accomplishments, to stamp unvarying excellence throughout her arduous struggles, admiration yields to perfect wonder.

Miss O'Neill's affections are boundless; and her grief is marked by tears and sobs that spring from the heart, and give, to this interesting detail of domestic woe, a momentary reality never before so forcibly acknowledged. All her dying scenes are heart-rending. Her hysteric laugh, and her suffocating convulsions, admit of no description.

#### MRS. DAVISON AND MISS WALSTEIN.

Mrs. Davison, when Miss Duncan, made her debut on the London boards, at a moment very unfavourable to her real pretensions. The charm of novelty had scarcely marked



her appearance, ere the Roscius-mania swept away all attraction save its own. When the public recovered their senses, Miss Duncan, therefore, was a veteran performer.

We do not propose to attach any very superior excellence to this lady's performance; but, we take delight in doing justice to the talents she, unquestionably, possesses. These, consist in a compound of the fine lady and the romp. We have sat, with great pleasure, to see her in characters peculiar to Miss Farren; and, in others, peculiar to Mrs. Jordan: and, although she does not reach the merits of either, she ever commands attention, and insures applause. We know not why, but the managers do not, always, place this lady to advantage. We have seen her, however, in Letitia Hardy, which, we think, her element.

In this character, we propose to speak of Miss Walstein. It is a great misfortune to any debutante, to come before a London audience with a flattered reputation. Miss Walstein has long reigned Lady Paramount on the Dublin stage, and probably expected equal admiration here. But, she has been disappointed. We saw her first in Letitia Hardy, and considered her countenance better adapted to tragedy than to comedy. She wants youth in this character; but, Mrs. Jordan has taught us not to consider that a legitimate qualification. Let us, therefore, confine ourselves to acting.

It appears to us, that the hoyden scene should be characterized by an apparent naiveté--a rustic simplicity--occasionally enlivened by flashes of native sensibility. Doricourt tells us 'of the fire of the idiot's eyes.' This, Miss Walstein has mistaken. Her volubility is coarse; her vivacity boisterous; and her country wit vulgar.

At the masquerade, where the travelled Doricourt is enslaved by the personal graces, poignant wit, and eloquent accomplishments, of a mask, we expect to see those captivations, which he, so rapturously, describes.

Again, Miss Walstein is mistaken. Her talents and manners are, decidedly, above mediocrity; but the latter are displayed in studied attitude, instead of intuitive grace.

When dressed for conquest, her figure appeared to advantage, but we cannot be satisfied with artificial allurements, when we look for positive fascination. She wanted sentiment in describing what she would be to the man of her heart; and, at the critical moment of removing her mask, she did not evince that fluttering sensibility which ought to be inseparable from the most momentous action of

Miss Hardy's life. We pen this critique with reluctance, as we think Miss Walstein will always be a respectable actress, provided she do not attempt to climb too high. She has since been more successful in *Jane Shore*, and we congratulate her with sincerity.

We cannot close this article, without noticing Mrs. Davison's *Juliana*. Elliston and herself are worthy each other in the *Honey Moon*.

### YOUNG AND RAE.

As we name these gentlemen more in the way of respect, than of criticism, our remarks will be brief.

Mr. Young and Mr. Rae closed their juvenile studies with the well-earned reputation of scholars. Indeed, so liberal were their classic attainments, either might have, honourably, adventured a candidate, for fame and fortune, in any of our learned professions. But, taste directed their views to a career less eminently classed, although, certainly, not less arduous.

Mr. Young, by a steady pursuit of dramatic laurels, has long been a rising favorite with the judicious amateur. In *Cassius*, he is the noble rival of *Kemble's Brutus*---each, is a shade to the others merit, and justice almost poises the scale between the fiery and the philosophic Roman.

Mr. Rae has been far less fortunate; yet equally emulative. His genius, we admit, was permitted to dawn at *Drury Lane*; and, his *Hamlet*, his *Othello*, his *Jaffier*, his *Romeo*, deservedly excited general applause in a delighted audience. But his sun had not well risen in the theatric hemisphere, when it was, adventitiously, eclipsed. A comet appeared!--the managers hailed this new luminary; and, in the zeal of their subsequent worship, they have forgotten, that---

Not all that tempts the wondering eyes,  
And heedless hearts, is lawful prize---  
Nor, all that glisters---gold!

Thus, the hopes of Mr. Rae, actually, bloomed and perished with the little hour that had fostered them!

We no longer behold him in those characters which are peculiar to his talents. The managers no longer appear to appreciate him; and, he is doomed to be the victim of popular infatuation.

Let it, however, be remembered, that every liberal and candid critic will persist to maintain, that Mr. Rae possesses pure taste, sound judgment, and correct delivery, ornamented by a good person, appropriate action, and gentlemanly deportment. With these advantages, he is gilded, for the personation of Romeo; in which character, he is unrivalled by his compeers, even though he do not, with coldly mechanical calculation, ‘*measure out his grave*’ like any city undertaker.

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ART. VI.—*Letters from Albion to a Friend on the Continent*, written in the years, 1810, 1811, 1812, 1813. 2 Vols. 12mo. Pp. 284. 260. Gale, Curtis, and Fenner. 1814.

This is German literature in a foreign dress. Our author, during a residence of upwards of four years in this country, maintained a regular correspondence with a friend on the Continent; and having, eventually, acquired our language, he was induced to translate and publish his letters—he has done so, in a way very creditable to himself and pleasing to his readers.

An Englishman loves to learn the opinions of an enlightened stranger on the constitution, commerce, manufactures, taste, manners, and other leading features of the British national character. Notwithstanding our author’s reflections have not the profound depth of a statesman, nor the hawk-eyed, perspicuity of a politician, they abound in good sense, good humor, and good manners.

The natural bent of his mind is sentimental. He has, not a little put us in mind of Karamsin the Russian traveller. He is, however, less insipid in his sentiment; and we pursue him throughout the various novelties which arrest his attention, and give impetus to his feelings, in a very extensive tour of Great Britain.

Arriving at Harwich, he exclaims, now I breathe in a land of freedom, though with an oppressed heart. It is true, I escaped the ignominious bonds under which my unfortunate country lingers; my eye no more beholds the shocking instances of insult from which even the softer sex find no safeguard; yet, I am far from those regions where my sportive fancy retraces all the charms of a happy childhood; far from those sports in which my eye dwelt with delight; and, far from those objects that were dearest to my heart.

This beginning, which has all the air of genuine sensibility, is flattery, from the pen of a foreigner, who felicitates himself, in the midst of all domestic privations, that he is in the happy land of freedom: yet, is he among a people, whose language, manners, dress, buildings; every object, in short, is new. He proceeds, however, to the metropolis, making minute descriptions on his road, and embellishing his familiar narrative with picturesque views and glowing imagery. His occasional visits are to London, Liverpool, Chester, Edinburgh, Bath, Oxford, York, the romantic lake of Windermere, &c. &c. &c.

Travels without love scenes, would be like the mechanical movements of an automaton. Not so, our amiable German...the following flow of sentiment would grace the feelings of another Werter.

‘She was not mistaken: a sensible Chord was touched: but, she knew not the occasion.

‘.....Cheerful I began this letter, but sad is its conclusion—Julia leaves us to-morrow!

‘Why am I thus affected at her departure? Do we not separate with sorrow from our friends? shall I not give that name to Julia, her mother, her amiable sister, with whom I have lived, for weeks, on terms of the most captivating intimacy, and enjoyed hours and days of bliss that seldom fall to our lot?

‘There, Edward, is the source of my grief.

‘Do you love poetry?’—said I to the lively creature—‘I do;’ was her animated answer.

‘Would you accept my farewell stanzas?’

‘She hesitated—but, after awhile, said with a tremulous voice—  
‘If they be not sad.’

‘She read my parting lay; and sat silent—re-perused it; and mused—read it a third time; and, then, raising up her beautiful eyes, she smiled—but, she smiled through her tears!’

ART. VII.—*The Maskers of Moorfields: a Vision*; by the late Anthony Griffithhoof, Gent. 12mo. Pp. 87. Miller. 1815.

We love wit dearly; but we cordially detest illiberality; nor, can we ever smile at that species of humour, however flowing, which ignobly sports with the most afflicting of all human infirmities, to make them the machinery of a sarcastic Pantomime,

Our author was not only, as we find, the ‘*Heauton*  
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*timoroumenos* of the Greeks ; but he was also the tormentor of others. He seems to have kept a Gallery for buffoons, and to have a set of names always at hand, a kind of infamous list or black kalendar, from which, as caprice moved him, he selected objects, to fill up vacant niches, for the amusement of the gaping croud.

This work—Gentle Reader!—is a panorama of fashion ; and the inquisitive, without the aid of prophetic vision, may occasionally recognise their relatives and friends dressed up by ridicule, and fashioned by the SIGNOR BEDLAMADO, Cicerone extraordinary to our raree-show.

The editor tells us, that these pages were the production of his late lamented brother ; and that he, as Executor, became entrusted with several literary manuscripts, over which he was authorised to exercise a *discretionary* power, either (to use the words of the will) by publishing, or suppressing them ; or, by giving to the world such part, only, as he might deem worthy its acceptance. His preface contains a short memoir of the deceased, in which we read the following passages. ‘ I come, now, to speak of his disposition, which I will not deny, was of a very unequal character ; and, wherein foibles and eccentricities bore a divided sway with the more valuable qualities. For, I do not think he had any propensities, that could justly be called vicious. His predominant failing was an unconquerable tendency to be discomposed by those trifling vexations, which, as Johnson somewhere remarks, often made up the sum of a man’s misery ; and, as his distresses were principally of his own creation, so were his enjoyments ; for, in him, more than in any one I ever knew, was exemplified the justice of these lines of Goldsmith :

‘ Still to ourselves in every place consign’d,

‘ Our own felicity we make or find.’

The originality of this work is not left to discussion. The plot is avowed to be taken from Horace, in whose satire we find many parallel passages. The author refers to the famous dialogue between the Poet and Damasippus, wherein the Stoical maxim, “ THAT ALL MEN ARE ACTUALLY MAD ” is treated with much exquisite humour. Its allusion to modern manners is very apposite.

‘ What, thought I, is the whole sum of modern manners and fashions, but a tissue of mad pranks, that have obtained a currency in the world, merely by keeping one another in countenance. Princes, Peers, and Common-



are, through all their various denominations, have their lives, occasionally, dash'd with insanity, as, ambition, love, luxury, bigotry, pride, faction, or avarice, have their different ascendancies.'

Thus contemplative, his reverie lulls our author to sleep, and his waking thoughts are embodied, by Fancy, into the Pageant of a Vision, which he designates as 'THE MASQUERADE OF MOORFIELDS.'

He imagines himself to be surrounded by a grotesque assembly of tall and short, plump and lean, old and young, decked in the various hues of the rainbow. Sceptres and truncheons, crooks and maces, coronets and coifs, cock'd hats and turbans; and scarfs, robes, wigs, stars, ribbons and gold chains, dance around him in motley confusion.... The Portrait of the Genius of Caprice, otherwise the Signor Bedlamado, is well drawn.

'He seemed to be in his proper person, a little Zig-zag figure about four feet four inches high, surmounted by a party-coloured cap, at least half the height of the body, on which it stood. On the top of this cap was planted a plume of feathers, apparently borrowed from all the birds of the air; while half the beasts of the field seemed to have clubb'd together their tails as an ornament for his back. Add to this, that a robe of rich and most extraordinary patch-work, about which he wore a girdle of hay, almost smothered his diminutive body, and hardly left room for the exhibition of a sallow countenance, with a hooked nose and chin, and a pair of red eyes. This fantastical *tout ensemble* was elevated on a pair of stilts, about a yard high, which he managed with singular dexterity, without the aid of hands. In his right hand he held an engine of a curious construction, being a wand of considerable length, from which were suspended a variety of bladders, connected with it by an equal number of leathern tubes.'

The Diable Boiteux of Le Sage is not more richly characterised, than this humorous Scaramouch, who assures the Sleeper, that the mental disorders of vice or folly are only rescued, by their prevalency, from the assumption of their proper names; for which reason, alone, they are enabled to keep themselves without the walls of Bedlam.

Of my Lord B——, it is said, by the Signor Bedlamado .... the Turkish Pilgrim is a young Nobleman, and one of the *genus irritabile*, who has shewn his resentment in this manner against the poor mimics, because they attempted to

set up their address against one, which he had just been delivering to a private circle, in another part of the ground, with the greatest applause. But, between ourselves---continues the Signor---I do not think, that one is much better than the other: for the success of the Turkish Pilgrim is, at least, as much owing to the partiality of his friends, as to the intrinsic merit of his address. And, I cannot help regretting that no better candidate had offered himself, so as to put an end to the contest between him and the mimics. But, the fact is, that according to the law of the Masquerade, *no poet of superior excellence can be admitted*; while, on the contrary, no persons are more worthy of a place in it, than these *smatterers in verse*, in which this city abounds.

All who have scanned the poetic lays of the scientific Traveller in Greece; and all who have read the Classic translation of Lucretius, will decide on the *justice and liberality* of this critique.

A Scotch Minstrel---Mr. Walter S....., appears in the character of a bag-pipe player. His songs are described to be the most childish that were ever heard, and the tunes quite oldfashioned. He is noted moreover, for his *antique garb*, and the affected singularity of his obsolete strains.

This may be criticism; but we call it satire written with a pen well dipped in gall. A group of scavengers represent '*periodical libels*,' under the various denominations of Registers, Examiners, Statesmen, Chronicles, and Independent Whigs. They dance round a large cauldron, vomiting a loathsome effluvia.

Sir Francis B----- is in the character of Guy Fawkes, full of projects for blowing up all the jails in the kingdom, beginning with the Tower; as well as for metamorphosing the Parliament House into a Senate to be called Pandemonium. He is described as a poor bewildered Baronet, who had devoted all his life to dangerous projects..... One, who had lavished more than half his fortune, at different times, in contesting a seat in Parliament, for the mere purpose of bringing those projects forward.

We must leave to conjecture, the development of the following Personage. A solemn dirge is chaunted by two female Characters.

Then is my Julia dead and gone?

I ne'er shall know her equal here;

Weep on, my aching eyes, weep on;

Affection's tribute is a tear?

Oh, she was all heart could desire,  
What pity she was doom'd to die ;  
But cease my strains, in sighs expire,  
The meed of sorrow is a sigh !

This tribute to departed worth is, thus, explained.

‘ These female Masks are ladies of quality, who, being without children, have, out of pure spite to their husbands, lavished all their affection on the canine species. They are, accordingly, never without a large family of pugs, poodles, lap-dogs, spaniels, and Italian grey-hounds, who are not only brought up in the most luxurious manner, but have as much expense bestowed on their Education, as if they were capable of deriving any benefit from it.--- Thus, they are never without their nurses, governesses, servants, and attendants of every description ; and are, moreover, provided with carriages for their use, whenever they shew a desire of taking the air. After this account, you will not be surprised to learn, that the lines you have just heard, are an affectionate tribute to the virtues of a pug-bitch, and a superb monument is to be raised to her memory.’

Wormwood !---Wormwood !---Wormwood !

Mr. K....., is dressed up as Cardinal Wolsey, who follows with an affected gait, an effigy of Shakespeare tricked out fantastically. He would have been---continues our author---an actor of unquestionable excellence, were it not for certain whimsical affectations, which neither habit nor inclination will, now, allow him to lay aside ; in consequence of which, he exhibits himself, as you now see, at our annual muster.

We have always considered this great actor's personation of Cardinal Wolsey, to be a sort of resurrection of that proud Prelate.

Monk L..... appears a pale figure in a winding sheet, wearing a cowl on his head ; and is intended to represent the ghost of a Monk. His brain is supposed to be turned by an imagination full of spectres, apparitions, haunted castles, and clanking chains.

Sir Richard P..... represents a Pythagorean Philosopher, with a new folio publication under one arm, and a bunch of cauliflower under the other. We are told, he diets on vegetables, lest he might devour some of his deceased friends in their new shapes ; having formerly, as he protests, feasted on a favorite lady, under the disguise of a fillet of Veal ! To this is added, *envenomed* remarks on bankruptcy-- how unmanly !

Mr. L....., the schoolmaster, is caricatured as a Laputan Philosopher, an *amiable* reward for his Philanthropic labours!

Sir V..... G..... is arrayed in the paraphernalia of an *Inquisitor General*. This mask, now a Judge, had formerly---says our author---been a great Law Officer, in which capacity, he hunted down more state-libellers than any twenty who had preceded him. His business is to celebrate an *au-to-dafê*, and to burn, in effigy, most of the persons whom we have represented as playing the parts of scavengers at the cauldron. To this ceremony, a variety of *men in office* are eagerly hastening, they having suffered at many times, from libels and lampoons; and having failed in their attempts to recover damages, owing to the obstinacy of the Jury, they were about to gratify their revenge in the enjoyment of this imaginary punishment of their authors.

Let us pause---

The Editor has told us in his preface, that it might, perhaps, be required of him to furnish the reader with some index to the portraits, or rather outlines, of the work. But he confesses himself not to be in the secret. Yet add---what he has been able to discover are so obvious; that they need no solution. The remainder he leaves to *ingenuity* and to *conscience*.

Now, we do not aspire to *INGENUITY*, for we cannot unravel the following mysterious characters: we are, therefore, doomed to leave them to *CONSCIENCE*.

A groupe of Masqueraders, composed of light hearted Courtiers, are thus described.

'One of them, in particular, I observed resigning his better half (who, by the bye, with respect to size, was a pretty good half) with as much complaisance as if he had been entreating some particular favor from the Stately Mask, to whom he presented her; and who, as my companion told me in a half whisper, was a personage of great distinction. He, moreover, assured me, that this silly cuckold of a husband, who was a Peer of the realm, considered himself highly honored by the distinction thus enjoyed by his Consort, who, in her turn, was rather raised, than degraded, in the fashionable world, by this piece of gallantry. But this can only be, said I interrupting him, because the present refinements, on the vices of high life, render a reciprocity of connivance, if not of open countenance, absolutely necessary to keep up their society; which, as it originates in what is called fashion, must be supported even by its excesses. Accordingly, we cannot be surprised, that the '*hanc veniam petimusque damusque vicissim*' of Horace, should have become the rule and standard of fashionable morals.'

We admit, that the mutual accommodation of '*give and take*,' as laid down by Horace, is a great promoter of good fellowship; but, we will not think so meanly of our Nobility as to suppose, for a moment, that the preceding Masks are other than imaginary Puppets, created for the express purpose of giving a heightened colouring to the author's satire. Human nature, in its usual attributes---thank God!---is not so base.

We will not pursue this subject; nor, indeed, would we have gone so far, if we did not think it our duty, in confirmation of the severity of our introductory remarks, to unmask the Maskers, whose portraits exhibit the warm glow of talent blazoning the chiaro 'scuro depths of dark malignity.

Satire is, at all times, a dangerous weapon in unskillful hands---apt at wanton offence; and, when provoked by manly retort, it is, too often, merciless in revenge. On the publication of this Posthumous Phillippic, we have merely to observe, that, in our opinion, the Editor has flattered his vanity at the imminent risk of his discretion---*Sapienti verbum sat!*

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ART. VIII.—*Reflections* politiques sur quelques écrits du jour, et sur les intérêts de tous les Français. Par M. de Chateaubriand. Octavo. Pp. 144. 6s. Paris, Le Normant; Londres, Berthoud et Wheatley. 1814.

This gentleman stands politically conspicuous before the public, for clearness of conception, profundity of judgment, and vigour of expression, in his patriotic writings. This pamphlet, in particular, has been eulogised in our houses of Parliament, and columns of our daily journals have teemed with long, and with continued, extracts. His great political opponent, in France, is M. Carnot, a staunch republican, a skillful logician, and an undaunted proclaimer of his infectious principles. And, although, M. de Chateaubriand professes to have been urged to the publication of this work, by the various political pamphlets which crowded through the press, on the restoration of the Bourbons, still, we believe his benevolent antidote, is more immediately applied to the baneful poison issuing from M. Carnot's pen.

‘ Nous avons lu avec soin les écrits politiques qui ont paru depuis quelques mois : répondre aux objections diverses, concilier les



opinions, rappeler les Français à leurs intérêts; c'est le but que nous, nous, sommes propose dans ces réflexions. L'atteindrons-nous ce but?---nous serions trop heureux.'

Nothing can be more fairly constructed than the basis of M. Chateaubriand's arguments. He lays down a case in law.

A man has been condemned so suffer death by a criminal court: his judges are a delegated authority, according to the established constitution of his country; not an authority emanating from the caprice of revolution. The culprit has deserved his fate; his offences were heinous. But, then, he had a brother; and his brother neither could, or would, divest himself of the feelings of nature. Hence, we are to presume, that an immutable hatred will be cherished by the surviving brother against the judge. The blood of the deceased flows in a crimson channel that must, for ever, separate these two persons.

Again....a judge, as in the preceding case, condemns a man to suffer death, but this man was *not guilty* of the crime for which he was arraigned. The judge, however, from mistaken principles, condemns the innocent man at the bar, and he suffers death. Now, if such man should have a brother, it will be still less possible, than in the former case, that any communication should ever be thought of between him and the judge.

To be more explicit....one man has sentenced another man to die. He who was condemned is innocent. He, who so condemned him, was not his rightful judge. The innocent man was a king....the presumed judge was his subject. This murder, therefore, was committed in direct violation of the laws of nations; and, in subversion of every rule of right. The tribunal, instead of sanctioning its judgment on the declared voices of two thirds of the assembly, did so, on a nominal majority....a majority eked out by the voices of those who sat in judgment. The monarch, thus, sentenced, had a brother. Can the judge who so condemned the innocent....can the subject who so immolated his sovereign....ever appear in the presence of the brother of the king? No!....will he be daring enough to write to him? If, yea....will the object of such address be penitence?....will he avow his guilt, and offer up his life in expiation of the regicide? No!....well, then, his motive, for so unnatural a proceeding, will be the disclosure of some state secret highly important to be known.

No! this regicide writes to the brother of his murdered king, to complain of personal discontent arising from

presumed injustice. His complaint assumes the language of menace. He further writes to this brother, now seated on his hereditary throne, to whom, consequently, he becomes the subject, to vindicate his crime, although unarraigned, to prove to him, by the word of God, and by the rights of man, that it is lawful to kill a king. He, boldly, interweaves theory with practice, presenting himself before Louis XVIII, in the character of one who has deserved well of him : ' il vient lui montrer le corps sanglant de Louis XVI....

' Et sa tête, à la main, demander son salaire.'

This is a most affecting picture: the murderer of a king claims audience from his restored successor; he presents himself with the undaunted front of conspiracy....in his left hand, he grasps by the hair the bleeding head of his guillotined sovereign: his right hand points to the mangled corse; and, thus infamously invested with the bloody trophies of his guilt, he loudly demands the reward of his patriotism!

This is....although not avowed....the portrait of Carnot!

Is it...continues M. Chateaubriand...from the deep glooms of his dungeon, or the excesses of his suffering, that the regicide publishes the apology of his crimes? No! he enjoys all the rights and privileges of his fellow citizens: his very address is emblazoned with a long catalogue of titles, some of which, indeed, have been conferred upon him since the restoration.

But the king, transported with rage at this address, has doubtlessly obeyed the retributive claims of justice, and issued some dreadful mandate against this man?

On the contrary....the king has pledged his word to forget all things past!

The world, however, less gracious, in this instance, than the king, but infinitely more just, has given no pledge of retrospective oblivion. The public voice, though hushed, may at its pleasure burst this dreadful silence; yet, such is the restlessness of guilt, conscience stands up a self accuser, when the voice of policy is silent. Is this, then, an imperative impulse? what other motive could compel these men to compile documents of accusation against themselves, and to sow discord in the minds of others?

No one thought of them....no one accused them....they were not even reproached with the death of their king.... why, then, do they come forward to justify themselves?

why disturb the repose, the 'otium cum dignitate,' in which they enjoy their wealth and their honors?

Formerly, their ambition was to proclaim that they had condemned their king....so be it: they were undisturbed in the contemplation of their acquired glory!

We are proscribed....say they....is it so? has a single hair on their guilty heads been touched? has any, the smallest, portion of their revolutionary wealth been arrested from their enjoyment? has their liberty been infringed? Yet, do they persist to recal to memory the sad records of our misfortunes. And, after all, there is no heroism in the act; for they brave a Bourbon, conscious that he will not avenge the injury. Public opinion, then, proclaims its liberty in the language of licentiousness. It has escaped the iron grasp of Bonaparte, to assume the wanton privilege of wounding a sorrowing monarch just seated, after an exile of twenty-five years, on the still reeking throne of his ancestors....a monarch too, who diffuses a pity and forgiveness around his throne, more emblematic of divine than of human mercy.

And what is the consequence? This!—the public is called upon to discuss a question, that ought, for ever, to have been buried in oblivion.

Colonel Harrison, one of the judges who passed sentence on Charles 1st, was, at the restoration of Charles II. summoned, in his turn, to take his trial. Among other allegations in his defence, he pleaded the silence hitherto observed by the nation, on the death of Charles 1st, upon which, one of the judges replied.

I remember an anecdote of a child, who was struck dumb with terror, at seeing his father murdered. But, although the power of speech were taken from this child, the features of the murdered remained, indelible, on his memory. It happened, that after a lapse of fifteen years, the child recognized the murderer in a croud, when he exclaimed....' There is the assassin of my father'!

Harrison!.....the nation has ceased to be dumb; it recognizes you, and cries aloud....' Behold! the murderer of our \* father.'

On this affecting and impressive superstructure, M. Chateaubriand proceeds to treat on the doctrine of the legality of regicide, as maintained in Europe, towards the middle of the sixteenth century, and quotes Buchanan, Ma-

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\* Trial of the twenty-nine regicides, p. 58.

riana, Saumaize, and Milton. We will, only, advert to the argument of Milton, which regulated the judges of Charles 1st: he found it in the Scriptures. 'The earth cannot be purified from the blood which has been shed, otherwise than by the blood of him who shed it.'

Voltaire, on this subject, writes as follows. 'Milton was, for some time, Latin secretary to the Rump parliament. This distinction was conferred upon him as a recompence for his \* Latin work in defence of the murderers of Charles 1st; a work, it must be confessed, as abject in style, as it was detestable in principle.'

So much for the author of *Paradise Lost*!

An admirable parallel follows, in which our author shews, that the murderers of Charles the 1st were zealous fanatics who removed their sovereign from the strong impulse of conscience. These English regicides, he adds, were not only well intentioned fanatics, but they had another advantage: they were not stained with the blood of their fellow citizens. They were not guilty of proscribing thousands of men and women; of children and of grey beards. Yet, they were looked upon as objects of horror; avoided as a pestilence; killed, even, like so many beasts of prey.

What, on the other hand, do we say to *certain* persons? nothing....they are our neighbours and our associates. We meet them with complacency, and we treat them with respect. We eat at the same table with them....we embrace them, yet do not shudder, with horror, at their touch. They fully enjoy their rank and fortune; and, in imitation of the mild example of our king, we should never have reminded them of what they had done did not their own voluntary clamours provoke us to the question.

These appear to us to be unanswerable conclusions. A sincere republican is the avowed enemy of kings; and, like Brutus, he wears a dagger to repel ambition or tyranny. But, when a man has amassed vast riches from variety of revolution; when he is, all things with all men, bowing to the idol of the day....when he, who strangled the lamb to become popular, will, for the same capricious reward, afterwards caress the tiger....he is not a republican in heart but a monster.

Among others, we find a singular reason given for the

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\* *Joannis Miltonis pro populo Anglicano defensio.*

death of Louis XVI. it is contended, that he had ceased to be king at the time of his death: that, his destruction was inevitable; that, his death was pronounced by the state as professionally, as that of a dying man would be by his physicians. But, the French nation at large will not gloss the crimes of a few individuals with such sophistry. Charles was condemned by the unanimous voice of his people, not so the suffrages that sent Louis to the scaffold.

The next chapter enters into the illusion, under which the French regicides seek to veil their crime. M. Chateaubriand draws an animated picture of the revolutionary frenzy that filled the tribunes, the market places, and the streets, at the time of the king's death, and supports his arguments with luminous, energetic, pathos.

He, then, takes into consideration the claims of the emigrants in general; combating with great ability the vindictive sarcasms with which certain journalists seek to soil their character, and to ridicule their loyalty and suffering. Never, says he, can we be reconciled to see the child begging at the gate of the mansion formerly inhabited by his parents; discreet arrangements must be made, by indemnities and transfers, to diminish the miseries resulting from the revolutionary sale of emigrants' estates.

This, we consider, a most delicate point: the present proprietors purchased under the guarantee of the law. Such property has passed through several hands: they have been distributed among the children of these purchasers. By an interference, to restore one family, other families would be beggared: discontent would, again, breathe the spirit of revolution, and blood, once more, might flow through every channel in their streets. But, the king has meditated a happy medium; his majesty proposes to relieve the emigrants from his civil list, by an annual stipend. The king is the glory and the safeguard of a nation!

Provision is especially made by the 'ORDINANCE OF REFORM' for the protection of emigrant estates to their new proprietors. We extract the article on which this right is founded, from a very able pamphlet, which we presume every one must have read, intitled 'REFLECTIONS OF A FRENCH CONSTITUTIONAL ROYALIST,' by an advocate at Paris. It was published and seized, almost immediately at the restoration, we find it well worth our attention.

It does not, like the pamphlet of Carnot, breathe a spirit of revolution among the citizens of Paris; its object is to



bow down before a restored monarchy, while it claims an ameliorated constitution. It vigorously, yet in respectful language, attacks the *Ordinance of Reform*, mis-called a *Constitutional Charter*; and analyzes its most important articles. The '*Arch Chancellor*,' whom the author calls the '*ARCH SAINT*,' and his minions in power, are represented to be the enemies of the people.

'States... That all property is sacred; even that denominated national; the law makes no distinction.'

'Many persons consider this language to be very equivocal. They fear lest it conceal some mental reservation, to empower the crown, at a future period, or, to invite the former proprietors of emigrants' estates, to institute suits at law with the present proprietors, on the plea of their not having received a full equivalent: and that, by the process, which subjects the possessor of an heritable property to be prosecuted, at law, by the seller, when such possessor shall have failed in payment of the covenanted purchase money. This idea, unluckily, is strengthened by the following article, which affects to revive a principle already consecrated by the civil code—It is this: 'the state is empowered to exact the sacrifice of a property, on the plea of the public interest, to be legally substantiated, and independently of any indemnity, government, may declare unjust,' which is, in fact, to say of any indemnity, equal to its intrinsic value. Hence, it is concluded, that, at its leisure, armed with these articles, the crown may dispossess the present proprietors of emigrants' lands, by any indemnity, or repayment, equal to the *original sum paid* and no more; and that the *motive* of public interest, set forth, may be the policy of doing something for individuals unjustly deprived of their all. Now these arguments arise from our conviction, that it is the intention of government to restore, to former proprietors, all the emigrants' lands which had been attached to royal domains. Presuming that after having done every thing for one party, they could not well refuse themselves the pleasure of doing something for the other; and that the way would be, to adopt the subterfuges, indirectly, exposed to their acceptance by the *ordinance of reform*.

'These, no doubt, are chimerical apprehensions; but, as people have conceived them, it follows, that the plan is decidedly vicious. Too much precaution, therefore, cannot be taken to remove such fears from the minds of a very numerous class of society, who have acted in obedience to existing laws; and who would have serious cause to complain, if molested, in the slightest way, however indirectly.

'A law decreed the sale of emigrants' estates—justly, or otherwise—every man, therefore, had a right to become a purchaser.

'The law of last year, which decreed the sale of corporation lands, is certainly as unjust in principle, as in practice. It violates, most unequivocally, the sacred right of proprietorship; and the more rightly, as instead of a real property of everlasting value, it gives

the corporation a nominal enrolment in the great book, which is, already, reduced one third in value, and may, eventually, be reduced still more.

‘Thus, by every principle of policy and equity, all regularly perfected sales, of this description, must be irrevocable. I think, with some slight alteration, the resemblance would be very striking. I therefore, proclaim, that this article might have been construed in terms less ambiguous; that the purchasers of emigrants’ estates, ought to have been formally secured *against all retrospect, direct or indirect, either from the crown, or from their former proprietors.* In short, that public opinion should have held the scales.’

The emigrants in our minds, have claims upon their king, which the most invidious must sanction and reverence. They were his companions in a foreign land, grew with his years, and were faithful in the hour of his adversity. Now, let them find protection under his mantle, live in his affection, and share with him in restored prosperity.

We will not pursue this discussion throughout its various political views, it must be wholly read by those who wish to trace the progress of consummate skill, with which M. Chateaubriand disarms his swarm of adversaries.

On the charter he says....Revolutions and misfortunes always produce salutary results, when a nation is wise enough to profit by them. Let us, then, seriously contemplate the advantages which change has offered to us: God knows, we have paid dearly enough for the enjoyment. The convention has effectually cured us of all republicanism; and Buonaparte has taught us the miseries attendant on absolute power. Hence we learn, from experience, that limited monarchy, such as the constitutional charter insures us, is the form of government best suited to our national dignity, and most conducive to our national prosperity.

We shall close our review with a most extraordinary anecdote relating to Carnot’s pamphlet, which shews the intrepidity of the author, notwithstanding the maxim, that ‘the better part of valour is discretion.’ We take this curiosity from the cabinet of M. Lewis Goldsmith, who appears to possess the faculty of *invisibility* at the French court.

‘M. Carnot seems to think that the Republicans in France may shortly expect to be prosecuted and persecuted for their opinions; but I think that the very circumstance of his being at large, and unmolested after the circulation of his pamphlet, is the best proof

of the mildness of the present government of France, and the utter improbability of his suspicions being ever verified.

‘ The way the memorial got into circulation is thus related—M. Carnot, in July last, had put into the hands of a printer, who communicated a proof-sheet to one of the king’s ministers, the count de Blacas. This gentleman desired the director-General of the police, M. Beugnot, to see Carnot, and expostulate with him on the impropriety of sending forth opinions into the world which he must have known from his own experience to have produced such misery in France.

‘ M. Beugnot sent for M. Carnot, and communicated to him the conversation he had with the king’s minister. Carnot said, that the only motive he had for printing the memorial, which (he said) he never intended to offer for sale, was, that the king might read it, as he thought that kings seldom read any manuscript works.’ ‘ If that is your only motive (said M. Beugnot), then I will engage that the king should read it in manuscript, and will inform you to-morrow if his majesty has any objection to its being printed.’

‘ On the following day M. Beugnot informed M. Carnot that his majesty had read it, but that he thought it might as well not be printed for the present. ‘ In that case (said M. Carnot) it shall remain in manuscript.’—Only a few copies in manuscript were circulated among M. Carnot’s particular friends, and it is from one of those copies that I have made the translation. A short time after, the memorial was printed, but in a garbled and mutilated state; in consequence of which the author addressed a letter to the editors of the French papers, in which he stated that the memorial was printed without his knowledge.’

## LAW REPORTS.

CRIM. CON.

Sheriff’s Court, Bedford Street, December 10, 1814.

*The Earl of Roseberry, v. Sir H. Mildmay.*

We do not select this cause as a celebrated law decision, but as a celebrated record of high-born depravity. Not, again, because it is a crim. con. action; for, adultery is too fashionably prevalent, to give it importance as a vice: but, because this cause is strongly marked with more than ordinary atrocity. The adulteress was sister to the Defendant’s lately deceased wife.

The Plaintiff, a nobleman of ancient creation, in the northern part of the kingdom, married, in the year 1808,

the eldest daughter of the honourable B. Bouverie, a lady of the most exquisite beauty and accomplishments, and scarcely in her eighteenth year.

My Lord and Lady Roseberry lived together in perfect harmony. Their union was blessed with four children---two sons and two daughters; and her ladyship's conduct was that of an exemplary wife and mother, until seduced from the paths of rectitude by Sir Henry Mildmay.

It would appear, that their relationship by marriage, by uniting the two families in the strictest bonds of friendship, had peculiarly given, to Sir Henry and to Lady Roseberry, those opportunities, which they, so fatally, employed to the destruction of their own honor, and the eternal peace of mind of the too confiding, honourable, Lord Roseberry.

Public curiosity has been so much excited by this discovery, that we should deem it intrusive to enter into a minutiae of detail. Suffice it to say, that Lady Roseberry, now only twenty-four years of age, had not been educated according to the fashionable system of voluptuous accomplishment, but was reared by a father, more distinguishable for the possession of every virtue, that can elevate and adorn human nature, than for his high descent. Sir Henry is not more than twenty-seven years of age, and made his visits through the window to the lady's bedchamber, where he was, eventually, detected by Mr. Primrose, in the garb of a common sailor, with his beard unshaven. In this base disguise, he was dismissed by the way he had entered.

On the defence, Mr. Brougham, with great eloquence, deplored the melancholy event which occupied the attention of the court, forbearing to glance the slightest imputation on the truly honourable character of my Lord Roseberry. The letters that passed between the guilty parties were not only romantic, but were amorous beyond the bounds of delicacy. The disgraced pair now co-habit in France.

From this brief statement, we will draw a few reflexions on adultery. It is a crime, which in its commission, displays a variety of shades. Some *well bred* husbands will not see the vices of their wives; and, notwithstanding the infamy is notorious, that my lady entertains her cecibéo; and, that my lord keeps his Opera dancer; yet, the fashionable world is not so prudish as to brand the wife with dishonor, when the husband appears to approve her con-

duct. This is the *delicacy* of refined principles, and an irrefragable proof of highly polished manners.

These accommodating *hautontia*des do not interfere with each other's pleasures. They politely live together in the same house, eat at the same table, and are patterns of conjugal felicity.

'Nothing,' says Joseph Surface, 'makes a lady so indifferent to the opinions of others, as a consciousness of virtue. One little faux-pas, on the other hand, will make her so sensitive in appearances, that her amours, often, continue unexposed even to her family. But as repeated security will, sometimes, lull caution to a momentary sleep; and, notwithstanding detection follow, what is the result? One species of man of honour resorts to the courts, and receives his damages, in full compensation of a worthless wife. It is a nine days wonder! If a duel be the consequence, no matter, the recollection is soon lost in some other novelty.

A divorce obtained, sometimes the guilty parties intermarry—the adúlteress is made an honest woman;—she is restored to society. What, if a lady desert a young family of beautiful children!—will her second marriage lull to peace the pangs of outraged nature? Yes---ambition will calm these uninvited whisperings, when her infamy has elevated her to the rank of a Countess; and, still more so, when it creates her a Duchess. On the passing of the divorce bill, the adúlteress goes to church---not, in the penance of a white sheet; but, in the magnificence of a French lace robe, attended by bride *maids*, displaying like herself the emblems of purity around their outward persons.

That a Countess, or a Duchess, may chance to feel the sting of these remarks, we do deplore---but example does not originate in us; we borrow it from others.

From these right honourable sinners, we will turn to another species of husband: previously, however, let us consider marriage, both as a divine and human institution.

Marriage, the sacred ordinance of the Almighty, is a covenant, pledged at the altar, by which the human race is increased and multiplied, and the casualties and infirmities of humanity are soothed by the endearing ties of reciprocal affection. In its civil acceptation, it is the bond of society. It is a moral union of the sexes, by which domestic felicity is insured, and worldly wealth is handed down, uninterruptedly, to posterity.

In civilized states, it is the reward of virtuous love, and



gives a chastened rapture to purified desire. With the softer sex, it unfolds the noblest energies of the human mind, in the progressive duties of daughter, wife, and mother. To man, it is the cheering solace of his labors. His avocations in an active profession fulfilled, the fatigues of the day are forgotten in the charms of his domestic fire side. His wife is his treasure---his children his joy. They form a family compact within themselves, in which each has an allotted part. The harmony thus preserved is beautiful. Reared in virtuous principles, they feel their dependence on their Maker. Religion mingles with their enjoyments. In prosperity they are grateful for the blessings they possess. In adversity they are resigned, and bow, with patient fortitude, before the chastening hand of providence.

In barbarian societies marriage, still, preserves its virtuous attributes. It represses illicit appetite; it calls forth parental affection; and, it goads even the indolent to make provision for their offspring.

All this, however, is rather the institution than the result of marriage. In proportion as civilization refines, licentiousness increases in a polished state. The occupations, amusements, studies, and accomplishments, of the fashionable world teem with dormant provocatives to inflame highly educated sensibility. Learning, the arts, the sciences, all, have their share in vitiating the heart. Indeed, some of the brightest ornaments of our literary schools, disseminate concealed poison throughout the most brilliant efforts of the human understanding. Pope is celebrated for his *Eloise to Abelard*; Voltaire for his *Pucelle d'Orleans*; Rousseau for his *Nouvelle Eloise*; Goethe for his *Werther*---these, and many others we could name, seduce the mind, by leading the heated imagination to forbidden indulgences. The arts and sciences unveil the mysteries of nature; and, the fashionable accomplishments and dress of the day remove whatever little barrier may be left for the protection of native modesty.

Hence it is, that marriages become a hateful bond. Voluptuousness lights her torch at the shrine of Hymen; but when satiety succeeds, the roving heart pursues a new enjoyment. And, when an honourable husband, too late, discovers, that he has given his affections, and linked his fate with a woman, mentally depraved, although corporeally virtuous, how shall his high-minded sense of honor provide for the continuance of that unstable chastity? It is an agonizing doubt; and the best concerted precautions

are feeble instruments of safety. If he protect his wife by being the constant companion of her pleasures, he is ridiculed as a jealous monster---if he leave her to solitary pursuits, and temptation follow, he is censured as a conniving husband. What a task has he to undertake! He must protect the wife, whose beauty has enamoured him---whose accomplishments enslave him---whose virtuous wishes are his primary law. She is the mother of his adored children. Yet, does she stand upon a precipice, from which her own frailty, and the villainy of others may, alas! too soon, hurl her to perdition. What step shall he pursue to avert this evil?

To-day his heart bounds in the fulness of his felicity. He possesses a jewel, compared with which, the treasures of the east would loose their lustre. To-morrow, the seducer comes, and with him all the imps of mental torment. The estrangement of his wife's affections becomes too obvious to be misconceived. She receives his tenderest cares with coldness---his chastened endearments with disgust: his honor is blasted---his happiness is wrecked---his home is his dungeon---his former bliss becomes his present bane. His heart sauts itself up, in solitude, and withers---he dies a living death!

Perhaps he may appeal to the law---alas! what relief can that afford him! Will it pour balm into his afflicted bosom? Will it heal his wounded honor? No!--he cannot estimate his loss by arithmetic, or state the sum total of his miseries by the cold rules of calculation. He scorns so base a compromise; and, hurries from the court, with contempt written on his brow, and indignation boiling in his heart.

Now, let us pursue the weaker criminal awhile. Immorality, we will presume, has not assumed a sovereignty over conscience. In a moment of delirium, she sank, impulsively, into the arms of a villain. Her mind did not consent; but her passions controuled her better judgment---passions, not the native inhabitants of her constitution; but passions, artificially created, by an indulgence in fashionable customs. What is to be expected from the prudence of a girl, just bursting upon the world, in the delicious bloom of sixteen maturing summers, who, from the dangerous impressions of her private studies, repairs, in all the vanities of revealed beauty, to the fascinations of the ball room. There, she waltzes with an elegant youth; and, as she repeats the mazy round, her whirling

head, and wildly throbbing bosom, unconsciously resign her almost naked person to the fervent embrace of her too dangerous partner. They are so united by the dance, that he almost inhales the voluptuous languor issuing, in broken sighs, from her delicious lips; the pressure of his surrounding arms communicates infection; and, she retires, from the delights of the evening, full of new, but imperative wishes.

What can be expected from such a system of education? What, but the fate of the beautiful and accomplished Lady Roseberry, although, as we have stated, her ladyship has not this plea for her frailty.

Now, to the catastrophe. The guilty hour of rapture flown, the veil of delusion drops. The unhappy culprit begins to think of her husband. She ponders on his faithful attachment--his smiles of love--his anticipation of her wishes--his watchful tenderness over her slightest indisposition--his animated joy at her recovery. She dwells on her little innocent, forsaken children. Never--never--will she see them more. They advance, in her imagination, to womanhood. They are orphans; for the infamy of their mother hurried their father to a premature grave!....

Maddening vision! shall she implore her husband's forgiveness? Impossible!--Shame forbids the rash attempt. Well, then, she is firmly linked to eternal disgrace. The arms of her paramour are her only protection from the bitter scorn of an unfeeling world. We will pursue the picture no longer. Jane Shore, now, stands before us in the last agonies of life, and we tremble at our own reflections.

Lastly, to the seducer. In what language, shall we pourtray his crime? In this world, the glittering illusions of fashion, may preserve him from the horrors of habitual despair; but, at that thrice dreadful hour, when the soul is about to quit its mortal tenement, and to appear before an all just God, where are his hopes?

Let us not be censured as the stern reviewers of fashionable morality; for, in this our lesson, we are the friends of the rising generation. May our admonition be impressive!

+ Consult Gibbon, vol. VIII. p. 57 to 70. Jacob's Law Dictionary, Art. Adultery. Blackstone's Commentaries, vol. IV. Pp. 61, 65, 191. Sale's Register, vol. I. Pp. 55, 56, 90, 91. 93. 129.

*The King v. Lord Cochrane.*

*Letter to Lord Ellenborough from Lord Cochrane.* Octavo.  
Pp. 138, with copious Appendix. 5s. 1815.

*'No pleasure is comparable to the standing upon the vantage ground of truth.'*

Bacon, Lord Verulam.

*'If JUDGES act wrong, their proceedings ought to be published. If the PRESS is to be gagged, God knows where it will end!'*

Lord Chancellor Mannors.

The preceding law authorities are eminently calculated to brace the freedom of literary nerves.—And, yet, to say the truth, we felt all our own valour 'oozing out at our fingers' ends,' the moment we took up a pen to review a REVIEWER.

But why should we suffer alarm? We are his Majesty's liege subjects, reared in the fear of God---and, of Mr. Attorney-General. We love our king; and we reverence his sacred authority, seated, as it is, by proxy, in Banco Regis, solemnly invested with an ermined robe. 'Tis a majestic array---proclaiming grandeur enshrined in purity.

Influenced by our spiritual laws, and obeying our laws judicial, we do not, therefore, stalk abroad like red-hot patriots, speculative reformers, or popular orators. No! we appreciate the blessings that surround an Englishman's fire side, and risk not, by temerity, a lawful exile, some two or three hundred miles inland, under the privations of our wives---our children---and our daily bread!

'Is this law?'---exclaims a malecontact---'Aye, marry is it, friend: Crowner's quest law.' Let us put the case.

We have read that, once upon a time, a high mettled prince aimed a blow at a Lord Chief Justice, for which he was, lawfully, committed; and, actually, did suffer the

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\* Some dealers in quibble, have ingeniously distorted the meaning of this word, so honourable in the records of antiquity. 'Patriot,' say they, 'otherwise written, becomes PAT RIOT---alas! poor pat---thou hast, indeed, much occasion for the broad shoulders, which dame nature has so kindly given to thee! But other words are, equally, susceptible of mutation. Majesty, for instance, is lofty in its tones, and fills the mind with grandeur of ideas proportioned to the purport of the expression. And yet, 'deprive Majesty of its externals'---that is, remove the M and Y, and what becomes of Majesty?---A JEST!---Caleb Whitefoord, with all his waggery at cross readings, could not have produced a more ridiculous result.

penalty of 'durance vile.' And we know, that high mettled journalists are imprisoned, at the present day, for aiming a blow at a prince.

Now, mark us well. To libel, metaphorically speaking, is to aim a blow---Ergo, 'tis an offence against the peace of our sovereign lord the king---God bless him!---and punishable by law.

Good!---

But we are told, that LAW is not, always, EQUITY; nor EQUITY, always, LAW. That, they have separate courts of appeal; and are, consequently, distinct members of our constitution. Casuists must determine.

Some witty person has observed, we know not where, that a LIBEL is like a pun---What a pretty conundrum! and, why is it so?---Because, 'BOTH ARE \*UNTRANSLATABLE.'

That, being the case; and as, moreover, a single witicism may smuggle a poor punster into a devil of a scrape, we will, e'en, content ourselves with the imputation of that dullness which we inherit from nature, although we are not such ideots, as to sport at a game of chess, with check-mate staring us full in the face.

This memorable trial has engrossed such variety of opinion, that our remarks would not give a preponderating atom to either balance. We will, however, assert, and roundly too, that my Lord Cochrane is either one of the most oppressed, or most wicked, of men. The attentive perusal of the letter before us, must, we think, settle the point, one way or the other, in the minds of most unprejudiced people. From this letter, therefore, we will make a few extracts; and, happy should we be, if our good wishes, supported by the manifestation of his lordship's innocence, could restore him to that rank, in EVERY Englishman's heart, which is the proud reward of gallant merit. We all shrink from the novel contemplation of a disgraced British seaman. It is a disgrace that wounds our national honour, and tarnishes the glory of the wooden walls of England. God speed the justice of his lordship's cause; and, if it be his real desert, may the memory of his pillory, descend to his posterity, with as little obloquy, as that which attaches to the death of the ill-fated † Byng!

\* Mr. Erskine disproved this assertion, by making a pun, which was not a pun, *untranslatable*. He wrote 'Tu poets' on a *tea-chest*. This is another proof of the fact, that a waggish separation of syllables will transpose the true meaning of words.

† What do historians say on this subject? His pity, that reflection should, sometimes, come too late!



The address to my Lord Chief Justice begins thus.

MY LORD;

*King's-Bench Prison, Dec. 21, 1814.*

‘THE ill-judged, but well-intended Motion in the House of Commons, on the subject of one of the three punishments to which I was condemned, six months ago, under your Lordship’s authority, for an offence which was completed before I knew it had been meditated, enabled his Majesty’s Ministers to assume to themselves the merit of mercy, for an act for which they must otherwise have been content with the more humble praise of prudence. On their *mercy*, which was preceded by depriving me of my Commission in the Navy, without waiting the ceremony of expulsion from Parliament, and followed by a chivalrous game at foot-ball in Westminster Abbey, where the work of degradation was more quietly performed at midnight, than it could have been opposite the Royal Exchange at noon-day, I have only to add, that they kept their clemency in their pockets, until they had exhausted their united eloquence and efforts to persuade the world of the unworthiness of its object. They did not interpose between me and the Pillory, the receptacle of the most abandoned wretches, until they had exerted their best endeavours to exclude me for ever from more respectable society.—But I introduce the subject of *their mercy*, only as it is connected with, and leads me to the consideration of *your Lordship’s justice*.

‘In the course of the unmanly, uncalled for, and unjustifiable discussion which took place on the *merciful* occasion above mentioned, your Lordship’s learned friend, the Attorney General, is reported to have observed, that ‘he was glad that the period had arrived when the *Trial* could be read at length; and thus do away the effect of those imperfect statements which misled the public mind.’ That period, however, did not arrive so soon as public advertisements had given reason to expect; and the cause of this delay is probably to be found in another observation of that learned gentleman, ‘that it was possible, and not unlikely, that the Short-hand Writer, who took down the *Trial*, did send it to the learned Judge to be revised by him. The Attorney-General having admitted thus much, and the Short-hand Writer himself having declared, on being applied to by one of my friends for a Copy of the Charge, that it was gone to your Lordship to be revised; your Lordship, I presume, will not deny that the *Trial*, or at least the *summing up* of the evidence, was actually corrected by your Lordship, preparatory to publication. I am not disposed to question the propriety of your Lordship’s conduct in supervising the Notes of the Short-hand Writer in this instance, especially if it be true, as further asserted by the Attorney-General, that it is the common practice so to do. But if the charge, as it now appears in print, is the same Charge as was actually delivered to the Jury, I have to lament that the Notes of another Short-hand Writer, who was employed by one of the Defendants (Mr. Butt), and whose Report of the Charge was quoted by me in my Defence in the House of Commons,

had not the advantage of a similar revision; because in that case, I should not have been reproached by another learned friend of your Lordship's, the Solicitor-General, with having in my Defence misrepresented and misquoted the language used by your Lordship. The fact is, that having been disappointed of a copy of the Charge, as taken down by Mr. W. B. Gurney, because it was gone to be revised, I was under the necessity of quoting from the Report furnished by the Short-hand Writer employed by Mr. Butt, in which your Lordship is represented to have asserted, that 'De Berenger appeared before me fully blazoned in the costume of his crime; that he pulled off his scarlet uniform in my presence; and that if the circumstance of its not being green did not excite my suspicion, what did I think of the star and medallion?' For these unqualified assertions, and various others of the like purport, which, if believed by the Jury, were sufficient for my conviction, there certainly is not, on the face of the Trial, one particle of evidence; and yet, when I made my Defence in the House, it was impossible for me to doubt that your Lordship had so expressed yourself; for though I was not present in Court (because my lawyers, for reasons unknown to me, were solicitous that I should not appear), yet many persons who were present assured me, that, according to their understanding of your Lordship, such was the language made use of by you on that occasion, without any qualification whatever. It appears, too, that the same impression was received by the Reporters for the public prints, in which your Lordship was represented to have expressed yourself in the terms of that Report of the Charge from which my quotations in the House of Commons were made.

'By the *summing up*, as it now stands in the printed Trial, it appears that your Lordship expressed yourself somewhat differently, and less positively, on the subject of De Berenger's appearance at my House, than in other account which I have either heard or read: and since the Trial, as it now appears, had the advantage of being revised by your Lordship; and since the Attorney-General assures us, that it is calculated to do away the effect of all imperfect statements; and as we have the further assurance of the same learned gentleman, founded on his knowledge of the noble and learned persons presiding in the Courts, that there is not a Judge on the Bench capable of wickedly altering his Charge, so as to give it a different colour, it must needs be inferred, that the Newspaper Reporters, and the Short-hand Writer employed by Mr. Butt, and the several persons present at the Trial, with whom I have conversed on the subject, did, by some unfortunate coincidence more extraordinary, perhaps, than the alleged concurrence of circumstances which were supposed to justify my conviction, fall into one and the same error, at one and the same time, and misunderstand the language used by your Lordship, precisely in the same manner and to the same extent. Whether Mr. W. B. Gurney himself did not fall into a similar error, which, independent of 'the same practice,' rep-

dered it peculiarly proper, and even indispensable, that your Lordship should revise his Report in this instance, I do not think it necessary, and it would perhaps be fruitless to inquire.

‘I hope that your Lordship will not so far mistake me, as to suppose that it is my object to dispute the authenticity of the Charge, as it now appears, revised by your Lordship, in Mr. W. B. Gurney’s publication. All that I intend to show, is, that it is still objectionable; and so far, at least, as relates to myself, not warranted by the Evidence.—And it is remarkable that your Lordship did not begin by directing the Jury to decide upon the Evidence they had heard, but upon that *Statement of the Evidence* which your Lordship should make to them (p. 448), which statement, as it appears to me, was neither impartial nor correct.

‘In the first place, I shall beg leave to offer a few observations on the zeal displayed by your Lordship during the investigation of De Berenger’s identity with that of the pretended Du Bourg, which it was necessary to establish before aught could be effected against myself and others. This identity was undoubtedly satisfactorily proved; but when one of the witnesses was asked, Whether he had not previously described the person as one that had a great red nose and a bloated face? (De Berenger’s countenance being pale and free from bloches), it was, I apprehend, no part of your Lordship’s duty to exclaim, ‘Red or not, sure you are of the identity of the face,’ (p. 118). If my Counsel had duly cross-examined certain witnesses, on the subject of De Berenger’s Dress, it would possibly have been found full as necessary to exclaim, ‘Red or green, sure you are of the identity of the coat.’ And I have no doubt, my Lord, that the Hackney-coachman at least, had he been found to prevaricate as to the colour of the underdress, which probably he never saw, would have taken the hint, and identified the coat, as others did the countenance, by swearing to the cut of it. Another instance of unnecessary interference on the part of your Lordship, may be found in the examination of one of the persons who appeared in support of the Alibi, which was most wickedly set up, and who represented De Berenger as being engaged in measuring a garden in York-street, Westminster, on the day before the Fraud. The question, put by your Lordship, whether or not he stood ankle-deep in snow? (page 415), was not only wholly unnecessary, but extremely improper, as there was not, on the 20th of February, any snow on the ground. In summing up the Evidence, your Lordship spoke with great self complacency of having discovered, by certain questions put to this last-mentioned witness, that he had been bail on at least two occasions; and your Lordship observed, that “a man who is in the habit of being bail must swear to the amount, and he must swear he is an housekeeper; and this man had no house over his head of his own, but was living in the house of another,” (p. 457). Here your Lordship takes a part of this man’s statement, and suppresses another part: and the impropriety of your Lordship’s remark will appear, when it is considered that he had

Lordship's remark will appear, when it is considered that he had stated, and was not contradicted, that he had been a housekeeper down to the 17th of February, (p. 411). And there was not any proof, that he had acted as bail subsequent to that period.

'Your Lordship delivered yourself eloquently, and even exultingly on the subject of De Berenger's identity; 'You were yourselves witnesses,' said your Lordship to the jury, 'to the manner in which the witnesses who spoke to the person of De Berenger were put upon the investigation; and they were told to look round the Court, and they accordingly threw their eyes about the Court in every direction, before they found the person whom they said they had so taken notice of; you saw them look behind them, look down, and on every side of them, and then suddenly, as if they were struck by a sort of electricity, conviction flashed upon their minds the instant their eyes glanced upon him: this occurred in every instance, I think but one, where the witness, not having his eyes conducted that way, did not discover him,' (pp. 454, 5). The fact, however, is, that neither Bartholomew nor Barwick spoke with confidence, although De Berenger was actually pointed out to them, (pp. 120, 122). Even Crane betrayed his uncertainty, although he had been previously to the Messenger's house to identify him, (p. 124); and Mr. Solomon, who had also been sent to identify, could not speak with any degree of certainty, (p. 132). Shilling who was certain, had previously seen him at the Messenger's, (p. 116); and Mr. St. John, (whose evidence and conduct were justly censured by Mr. Park (pp. 316, 317), though palliated by your Lordship (p. 463), had seen him at Westminster Hall, when he pleaded to the Indictment (pp. 79, 80); and with respect to Tozer, the witness who did not at all recognize him, because, as your Lordship says, 'his eyes were not conducted that way,' it is fair to observe, that he was directed to 'look to the end of the row' (p. 109); and Mr. Park, the Counsel for De Berenger, desired his Client to hold up his head, (p. 110). The proof of identity was doubtless satisfactory; but, if I have succeeded in showing that it was not such as to warrant your Lordship in bespeaking for it not only the faith but the admiration of the Jury, the public will judge how far it was decorous in your Lordship to use the animated and even triumphant language which I have cited.

'Your Lordship was severe, and probably with justice, on the confidence with which Mr. Tahourdin, De Berenger's solicitor, denied the Dover letter to be of the hand-writing of his client. Yet Mr. Tahourdin, who was undoubtedly familiar with De Berenger's hand-writing, had, *prima facie*, rather more right to be positive than Mr. Lavie, the zealous Solicitor for the Prosecution, who had no other knowledge on the subject than such as he had acquired by intrusion subsequent to De Berenger's apprehension. Mr. Lavie, however, who might have done better (as Mr. Park observed, p. 316

than to have given his own Evidence to the hand-writing, was if possible, more positive, that the Dover letter was written by De Berenger, than Mr. Tahourdin was to the contrary. Mr. Tahourdin said he had received a thousand letters from De Berenger, and on being asked whether he believed it to be his hand-writing, he answered, 'I do not indeed—it is not his hand-writing;' and on comparing it with another letter, your Lordship observed, 'The gentleman may look at the two letters; but that furnishes no argument. For a person would certainly write a disguised hand at that time, if ever he did in his life. This gentleman does not go on belief that it is not, but he swears positively that it is not his hand-writing,' (p. 368). Mr. Lavie, on the other side, declared that he could 'swear without the least doubt that it was De Berenger's hand-writing,' (p. 92). But your Lordship did not then exclaim, in a tone of reprehension, as in the case of Tahourdin, 'This gentleman does not go on belief that it is his, but he swears positively that it is his hand-writing.' So far from that, in stating the Evidence of Mr. Lavie, your Lordship observed, 'The Evidence of Mr. Lavie is only that he believed this to be De Berenger's hand-writing,' (p. 466); and such Evidence your Lordship intimated was sufficient. To me it appears that Mr. Lavie's Evidence was full as positive as that of Tahourdin: and how Mr. Lavie, with his slender knowledge on the subject (not very decently obtained,) could swear without the least doubt that the Dover letter was of De Berenger's hand-writing, although it was proved to have been very dissimilar from the general character of that hand-writing, is best accounted for by admitting a determination on his part to lose nothing for want of Evidence. Lord Yarmouth deposed, that if his suspicions had not been previously awakened, he should never have suspected the Dover letter to have been written by De Berenger, with whose hand-writing he was perfectly familiar; and that on looking through it with a view to detect the resemblance, he could find only one letter (the large R in the signature) that created a suspicion (p. 374, 5, 6). That De Berenger was the person who wrote that letter, there is no reasonable doubt; but when it is considered that at the Trial the proof of personal identity appeared partly to depend on the proof of that hand-writing, the conduct of Mr. Lavie in this particular, and let me add, of your Lordship, was certainly, to speak mildly, somewhat extra-judicial.

By the Evidence annexed to the Letter which I had the honour to address to the Electors of Westminster, on the day on which it was intended to exhibit me in the Pillory, it is, I am persuaded, satisfactorily proved, that De Berenger changed his dress in the post-chaise which conveyed him from Dartford to the Marsh-gate. I am the more confirmed in this opinion, because I observe that those persons who are hired to libel me in newspapers and pamphlets (for I cannot suppose that their malice is wholly gratuitous), have since affected to speak of the subject of the dress as a minor circumstance; as if it were of little importance to the merits of the case, whether I



Berenger presented himself to me in the dress in which he committed the Fraud, or had secretly changed it before he came into my presence. It is a triumph to me to perceive the contempt with which my enemies now pretend to consider the subject of the dress, as it proves that they are sensible of being defeated in the only point in which your Lordship had taught them to consider themselves invulnerable. While they betray their own belief of my innocence, I can despise their unabated endeavours to persuade others that I am guilty. The supposed appearance in 'the Costume of Crime,' was by far the principal argument against me, and was supposed at once to convict me both of the Fraud and Perjury. So long as it could be bolstered up by any appearance of Evidence, it was the vital part of the Case. It was so treated by your Lordship, (pp. 452, 478, 9; 484, 5, 6, 7), and so termed by the Counsel for the Prosecution, who, with more than his accustomed veracity, observed, that my Counsel had called witness after witness to corroborate inferior points, but had left me without confirmation upon that important, that vital part of this Case, to Lord Cochrane, viz. the dress which Mr. De Berenger wore at the time he came to that House, and had with him that interview,' (pp. 440, 1). This exhibits in a strong and convincing light the paramount importance of that part of the Case, which my enemies have since endeavoured to depreciate.

'At what period De Berenger changed his dress in the chaise is not otherwise important, than as the consideration of it appears to lead to an additional proof of the fact. It is highly probable that the change took place between the coach-stand at the Three Stags, Lambeth Road, and that at the Marsh-gate. According to the Evidence (as it was called) of Shilling the post-boy, before the Stock Exchange Committee, De Berenger drew up the side-blind at the corner where he sat, as if to hide himself, on perceiving that there was no coach to be obtained at the former place. At the Trial, he deposed that he saw the side-blind was up, but did not see when he pulled it up, but thought he did it as he came round the corner, (p. 413). Your Lordship, in summing up, misstated this part of the Evidence; and, notwithstanding the Witness had said positively that the side-blind was up, and that he did not see when he pulled it up, your Lordship represented him as saying, 'I think he pulled up the side-blind, which had been down before all the way,' (p. 474).

'If your Lordship understood that he did not pull it up till his arrival at the Marsh-gate, and that it had been down before all the way, your Lordship's understanding and the meaning of the Witness are clearly at variance. The Statement of the Evidence (as it appears to me) does not allow time for De Berenger to have changed his coat while the side-blind was up. According to the Evidence itself, there might have been ample time for that purpose. The 'Corner,' alluded to by the Witness, must either have been the corner at the Three Stags, or that at the Asylum; the latter two

hundred, and the former more than four hundred yards from the Marsh-gate; but as he 'did not see when he pulled it up,' it might have been done before. It is, however, the most probable (as well as most agreeable to the evidence of this Witness, both at the Trial and before the Committee), that De Berenger pulled up the side-blind as he came round the first Corner by the Coach-stand at the Three Stags, and probability is, that it was in order to conceal himself for the purpose of changing his dress. On being disappointed of a coach at the former stand, (owing I conceive to the early hour of the morning), he would naturally apprehend that he might again be disappointed at the other; which indeed was very near being the case, as there was only one coach on the stand, (p. 113). He would then have had no alternative but of walking through the streets in the dress of his Fraud, or of proceeding with the chaise-and-four to wherever he chose to terminate his expedition; either of which might have occasioned his detection. It was therefore an act of evident expediency, and probable necessity, to effect a change of dress before he arrived at the Marsh-gate.

If my counsel, or your Lordship in their default, had thought proper to question the post-boy as to the period at which he saw De Berenger in his scarlet coat, it would have appeared that he did not observe it at the time at which he quitted the post-chaise, and that he did not mean to swear that he left the chaise in that dress. He has since declared, and has offered to testify an oath, that De Berenger might, as he verily believes, have changed his dress before his arrival at the Marsh-gate, without being noticed by him; that he had with him a portmanteau, or parcel of some kind large enough to contain a coat; that he did not see his under-dress when he quitted the chaise, and has no knowledge whether it was the same he had previously seen or not. And the Evidence which he gave at the Trial is perfectly consistent with this statement. He did indeed say that De Berenger wore a read coat; but it is clear, from other parts of his Evidence, that he alluded to his previous appearance, and not to the period of his quitting the chaise: for he says, that 'the coat had some sort of a star upon it, but he was not close enough to see it, and could not swear to what it was,' (p. 115). Now, if he had been speaking to his appearance at the Marsh-gate, he must have been 'close enough;' for he says, 'I opened the chaise door,' (p. 113). It is evident, therefore, (admitting his credibility, and as he has hitherto been considered the second best Witness for the Stock Exchange, I apprehend they will not object to it), that he was speaking to his appearance at a previous period, when he saw him at a distance; which must, I apprehend, have been on some occasion when he turned round on his horse, and observed him in the chaise. He is either not to be believed, and his Evidence to the dress is nothing; or he did not observe it at the Marsh-gate, which, as far as I am concerned, is precisely the same thing. But I consider him consistent in this part of his Evidence, because I think it appears from another answer that he had no

opportunity of observing the dress at the Marsh-gate; for he describes him as stepping out of the chaise into the coach, and says, 'He then held his hand down, and gave me two Napoleons; he did not say that one was for my fellow servant and the other for myself, but I supposed it was so,' (p. 114). Hence it appears that he stepped from the chaise to the coach, without stopping to speak to the Witness, or to give him his reward; that he held his hand down for that purpose; which, whether it implies that he presented it with his side or back towards him while entering the coach, or that he put his hand down after he had entered (the latter I understand was the fact), is tolerable proof that he allowed the Witness no opportunity of observing his under-dress. It proves, too, I think, which is more important, an anxiety that the Witness should not see it. He appears to have conversed very familiarly with this Witness in the course of the journey (pp. 111, 112), and would hardly have quitted him so abruptly without a parting word, if he had not been anxious to avoid his further observation. He was very desirous, and with great reason, that the post-boy should not perceive the transformation that had taken place.

Shilling's observation of the dress, at any period, appears to have been very imperfect. He declined swearing to the colour of the outer coat, which he thought was a kind of brown, but which in fact was proved to be grey, according to the description in my Affidavit: he thought there was a kind of white fur upon it; although, in fact, there was no fur at all. He saw a red coat down as far as the waist, but did not see the skirts of it, and thought it was turned up with yellow, but would not like to swear to that; and assuredly if it was an aid-de-camp's coat, as asserted by other Witnesses, it could not have had yellow facings, or any facings at all. And it had a Star of some sort upon it, but he was not close enough to see it, and could not swear to what it was (pp. 114, 15). Yet this is the Witness spoken of by Sir Simon Le Blanc, as 'the post-boy' who 'had opportunities, during the last stage, of seeing him while he was out of the carriage, and walking up a hill, and while he conversed with them, directing them to the place to which he should be driven,' (p. 590). Now as Sir Simon mentioned only one of the Dartford post-boys, and as in fact he had no cognisance of the other, who was not examined, it is clear that he took the liberty, or exercised the judicial authority of clipping this same *Shilling* into two. Moreover, he appears (accidentally, no doubt) to have eked out about sixpenny-worth more of Evidence: for there is not in the Trial one word about De Berenger getting out of the carriage and walking up a hill: it is, to all appearance, the pure mintage of some ingenious Judge. I read, indeed in Shilling's Examination, that on arriving at Shooter's Hill, 'the gentleman looked out of the window,' (p. 112). It is possible, that your Lordship may have misunderstood the Witness; or that Sir Simon, in the hurry of passing Sentence, may have misunderstood the *Minutes*. Instead of 'looked out of the window,' your Lordship

may mistakingly have written, or Sir Simon may erroneously have read, 'leaped out of the window;' and 'if so,' (p. 482), as there was no Evidence of his leaping in again, it was little enough to conclude that he 'walked up the hill;' otherwise, instead of a leap and a walk, we should have a flight of judicial imagination.

'I have already shewn, not only that Shilling did not swear, and did not intend to swear to the dress at the period of De Berenger's quitting the chaise, but that it is clear from the Evidence, that he was speaking to a previous period only, and that he did not, and could not take any observation at the Marsh-gate, either of his person or dress. Yet the learned Judge aforesaid had, it should seem, your Lordship's authority to assert, that he was spoken to positively by the post-boy at that period; namely, the period at which he was stepping from the post-chaise into the hackney-coach, (p. 591). And in the very same sentence, speaking of the evidence of the *waterman*, Sir Simon says, 'He swears distinctly to his person and his dress, and that he had then a scarlet coat under a grey great coat, (p. 591). He did indeed swear to a scarlet coat, (how truly I now leave the world to judge); but instead of a grey great coat as asserted by Sir Simon, he swore to a 'dark drab military sort of a coat' (p. 119); and so far from 'swearing distinctly to his person,' he said, that he did 'not see that he could recollect him;' but when he was actually pointed out to him by the Counsel, he deposed, upon his word, that he thought he was like him, but he only saw him for about half a minute, (p. 120).

'If it were possible, or worth while, to point out all the variations in the depositions of different Witnesses, one of whom described De Berenger as a tall person, (p. 101), although he is certainly under the middle size, and another (he who had so many 'opportunities') expressing the greatest uncertainty, and evincing many inaccuracies, it would appear that there is less truth than eloquence in the following passage in your Lordship's Charge to the Jury: 'So multiplied a quantity of testimony, so clear and so consistent, was, I think, hardly ever presented in the course of any criminal Trial; differing in no circumstances respecting his person and dress, excepting in some trifles, which, amidst the general accordance of all material circumstances, rather confirmed by this minute diversity, than weakened the general credit of the whole, and gave it the advantage which belongs to an artless and unartificial tale,' (p. 455).

'In summing up the Evidence, it was usual with your Lordship to take part of an answer, and suppress another part: thus your Lordship represents Shilling as saying, that 'the coat had some sort of a star upon it' (p. 475); but how came your Lordship to overlook the remainder of his answer, namely, that he 'was not close enough to see it, and could not swear to what it was?' (p. 115). It is perfectly clear from the Evidence, that what ever was the colour of the coat in which De Berenger came to my house, he had at least divested himself of his ornaments before he came there.

Shilling's Evidence to the star amounts to nothing; he either did not see it at all, or he saw it indistinctly at a distance, at an earlier period. And neither the waterman nor hackney-coachman deposed to either the star or medallion. If De Berenger had effected no change in his dress, how comes it that the Witnessess, who spoke to his garb during the night, saw and bore testimony to the star, while those who saw him by day light in the morning did not? It was either not a *fixed* star, or, like the stars in the firmament, was only visible by night.

Again; in stating the Evidence of the hackney-coachman, your Lordships says, 'He (De Berenger) took a portmanteau that he had, and a sword—the portmanteau was a small black leather one,' (p. 477); but your Lordship omits the remainder of Crane's answer, 'big enough to wrap a coat up in,' (p. 123). It may be said that there are few portmanteaus that are not big enough for that purpose; but still it was a circumstance which your Lordship ought not to have omitted, because it had a tendency to bring home to the minds of the Jury the probability of De Berenger having possessed the means of changing his coat. It was, I conceive, your Lordship's duty to have recapitulated those words; and you might very fairly have added, 'So that you see, gentlemen, that De Berenger may have had the means of changing his dress before he appeared in Lord Cochrane's presence.' So far from that, your Lordship did not omit to tell those credulous gentlemen, that it did not appear that De Berenger had any means of shifting himself! (p. 484). Was it that your Lordship did not wish the Jury to connect the idea of the portmanteau with its probable contents, that you omitted the words, 'big enough to wrap a coat up in.' I could have wished that your Lordship had favoured the Jury with your own private opinion as to the contents or purpose of that portmanteau. It was in Evidence, that De Berenger had with him a small portmanteau when he bought his scarlet coat, (p. 16); and your Lordship evidently considered it to be the same which had been spoken of by Crane; for in stating the Evidence of Mr. Solomon, the person who sold the articles of dress, 'that he took them away with him in a coach—he had a small portmanteau with him,' your Lordship immediately observed to the Jury, 'You remember there is a leather portmanteau spoken of,' (p. 488). And your Lordship, I am certain, had not a doubt that he conveyed his scarlet coat to Dover in that portmanteau.—The Solicitor-General has assured us that De Berenger was supposed to be no fool, although he did not argue very wisely on that supposition. But it would have been worse than folly, it would have been madness to have been prematurely arrayed himself in so remarkable a dress, intended for so criminal a purpose. Your Lordship knew, that it had not been attempted to trace him to Dover in that splendid apparel, and that it was next to impossible that De Berenger should have exposed himself so egregiously to defeat and detection. It could not possibly have escaped your Lordship's penetration, that De Berenger must have gone down to



Dover in a dress different from that in which he returned; and with that conviction on your Lordship's mind, and with the evidence of the portmanteau before you, 'big enough to wrap a coat up in,' it must have struck your Lordship, 'as by a sort of electricity,' that De Berenger had the means of shifting himself; and that I, who had never before been suspected of fraud or falsehood, might possibly have spoken and sworn to the truth!

\* The circumstance of his taking the sword out of the couch, together with the portmanteau, as deposed to by Crane (p. 123), is also very important. In his journey from Dover he had worn that sword---it was essential to his assumed character; but before he arrived at my house he had engaged himself from it, and had it loose in the coach: so that, according to the Evidence of the chief witness for the Prosecution, he had made one material alteration in his appearance. Now, for what possible purpose could he have taken off his sword, if he had been regardless of exhibiting himself to me in the false character of a military officer? There is no probable reason for his divesting himself of his sword, that does not equally apply to his putting off his sash, his star, and his medallion, his scarlet coat, and his assumed character altogether.

\* I have before observed, that the identity of De Berenger was certainly not proved by the hackney-coachman. I again mention this, to shew that your Lordship also mis-stated the Evidence in that particular. He had seen him in the messenger's house, and therefore it was no wonder that he pointed him out in Court. But, on being asked, 'Were you of the same opinion when you saw him at Mr. Wood's?' instead of returning a direct answer, he says: 'When I came down stairs, he looked very hard at me;' and to the next question, 'Did you know him then?' he replied, 'Yes; it was something of the same appearance, but he had altered himself very much by his dress,' (p. 124). Your Lordship left out the words, 'something of the same appearance,' and stated to the Jury that Crane knew him at the Messenger's, though he had altered himself a great deal in his dress, (p. 477).

\* There is no particular in Crane's Evidence which might very well be believed, even if your Lordship had not elucidated it: 'The gentleman gave me four shillings before he went in, and I said, I hoped he would give me another shilling,' (p. 123). Whether your Lordship was anxious that the coachman should not be deemed of a mercenary character, lest the Jury should have thought it possible that he had lugged in the scarlet coat before he was asked, in his eagerness to obtain the reward offered by the Stock Exchange, I do not pretend to say; but if your Lordship had not been apprehensive that this additional demand of Crane would, at first glance, seem exorbitant, you would hardly have taken the trouble to travel out of the Record for its justification. 'Hearing,' says your Lordship, 'that Napoleons had been distributed to drivers, he thought that a hackney-coachman might ask for a little more of his bounty than he first received,' (p. 477). Your Lordship, however,

knew that it was not in Evidence, that Crane had heard one word about the Napoleons, nor is there the slightest reason to believe that he knew at that time that any such coin had been distributed: on the contrary, there was reason to conclude, from the secret manner in which De Berenger rewarded the post boy, by holding down his hand, without speaking, as appears by the Evidence, (p. 114), that Crane had no opportunity of seeing or hearing of that description of reward; which is also pretty evident from limiting his request to an extra shilling.

In another part of the Charge, your Lordship gave the Jury to understand, that the Napoleons which were found in De Berenger's desk, tallied with those which had been distributed on the day of the fraud, (p. 459). There can be no doubt that they were the same description of coin, and that they tallied with each other, as one guinea tallies with another. There was no Evidence, however, to any particular tallying, and therefore it should seem that your Lordship deposed to it yourself, for the better introduction of the following remark: 'therefore the proof in this particular is above tailed and closed in, beyond any thing I almost ever saw in a Court of Justice' (p. 459).

On Crane's statement, that the waterman opened the coach-door for De Berenger, your Lordship did not omit to infer, 'So that he was within view of the waterman' (p. 459); but, my Lord, the waterman's opening the coach-door was no proof that he saw De Berenger step out of the chaise into the coach; he would naturally, on opening the door, stand partly behind it; and the doors of the two carriages both opening towards him, would in all likelihood intercept his view of the passenger; whereas the view of those persons, who have since voluntarily come forward to swear to the green dress, and who saw De Berenger from the other side, was not subject to such interruption.

The pamphlet proceeds to the consideration of Lord Ellenborough's comment on Lord Cochrane's affidavit of March last---his lordship's rejection of a new trial when applied for---the evidence---the sentence, as pronounced by Mr. Justice Le Blanc, and a variety of minute detail, argued with great feeling. The Appendix is extremely curious. We will extract one letter from the mass of evidence, thereby exhibited to the reader, premising, always, that the whole pamphlet is, most powerfully, strengthened by very pointed notes, whose translation would be, if reviewed by cynics (not by us) that '*honourable feeling and political influence*,' are not, like Mr. Doe and Mr. Roe, **BROTHERS-IN-LAW.**

APPENDIX.—No. III.

*LETTER from Lieut. PRESCOTT to Lord COCHRANE.*

*King's Bench, Nov. 28, 1814.*

*My Lord;*

Having been requested by your Lordship to commit to writing the information which I communicated to you some months ago, I have no hesitation in complying with your request.

The substance of the account which I received from the persons whose names I mentioned to you, and who may be called upon if required, is, that they were of the party at a dinner, which was termed, 'The Stock Exchange dinner,' provided by order of Mr. Harrison, at Davey's Coffee-house in the Bench, on the day before the Trial; at which dinner the Honourable Alexander Murray was also of the party, which consisted of seven or eight persons: that after they had dined, and the bottle had gone briskly round, Harrison said to Mr. Murray (who was then, and still is, a prisoner for debt,) that he would get his affairs settled; and as he should receive a large sum from the Exchange for the conviction of Lord Cochrane, if he (Murray) wanted 50l. he should have it to-morrow; proposing at the same time, 'Success to the Stock Exchange,' which was drunk in claret with loud cheering; that this took place in the public coffee-room, before many persons both in the room and looking in at the windows, the dinner attracting considerable attention from its style, which was unusual in the Bench; that Mr. Harrison, in answer to a remark from one of the bye-standers, that the dinner would cost a round sum, said, it did not signify if it cost 50l. as the Stock Exchange would pay for it; that when the majority of the party had drunk as much wine as they could or were willing to drink, Mr. Harrison ordered several full bottles to be placed on the table; and the task of finishing the wine which remained, devolving at length on the Honourable Alexander Murray, and he being unable to accomplish it by himself, he went into the lobby of the prison, and procured two of the turnkeys to assist him.

The further account of one of the persons above alluded to (who usually messed with Mr. Murray,) is, that for some time previous to the Trial, Harrison was daily with Mr. Murray, dining and drinking with him; and that he was present when Harrison visited Mr. Murray, accompanied by the Solicitors, Messrs. H. and R.; on which occasion Harrison said to Mr. Murray, 'Here are the gentlemen who will accomplish your wishes;' and one of these gentlemen replied, 'Yes Mr. Murray, after this trial of Lord Cochrane has past, we will then attend to your liberation:' that he heard Mr. Harrison declare in the lobby, as did many other persons, that he should receive a sum of money if he would procure evidence which would convict Lord Coch-

rane; intimating at the same time that he was induced to offer his services to the Stock Exchange, in procuring evidence against him; by his personal antipathy to the whole family of the Cochrane's, which he said would never subside while he breathed: that, subsequent to the Trial, he has repeatedly heard Mr. Murray express himself sorry for having appeared in Court against Lord Cochrane, and acknowledge that he had been the dupe of Harrison, in persuading him that his solicitors would undertake the arrangement of his affairs and effect his liberation, provided he would appear as an evidence against Lord Cochrane at the Trial.

Shortly before the Trial, I addressed two letters to your Lordship on the subject of Harrison's visiting and tampering with Mr. Murray who was expected to appear as an evidence against you; but your Lordship did not answer those letters, nor attend at that time to my communications. The fact, however was notorious in the Bench. Of my own knowledge I have only to add, that on the day of the Stock Exchange dinner (as it was called), my attention was attracted by the noise of the entertainment, and the number of people collected and I went into the coffee-room, and saw the party at the table, as did many other persons; and towards the close of the evening I saw Mr. Murray return from the lobby into the coffee-house, accompanied by one of the turnkeys. It was well known that Harrison was in a state of extreme indigence previous to the Trial; but shortly afterwards, I was present when he took a considerable number of bank notes out of his pocket, and saw him place a 50*l.* note in the hands of a gentleman, to remain till an account with Mr. Lewis was investigated. I have also heard Harrison declare, in the presence of other persons, that he would ruin the whole Cochrane family.

I am,

Your Lordship's most obedient servant,

THOMAS PRESCOTT.

We offer no comment...and conclude.

ART. XI. — *Le Zodiaque expliqué, ou Recherches sur l'origine et la signification des Constellations de la sphère Grecque; dans lesquelles on établit que les douze Signes du Zodiaque, loin d'être le plus ancien monument astronomique, ne sont qu'un démembrément informe de la Sphère faussement attribuée aux Grecs; que cette Sphère fut inventée environ 1400 ans avant notre ère, et qu'elle renferme un système d'emblèmes géographiques qui se rapportent aux pays voisins du Caucase et de la mer Caspienne. Traduit du Suédois, de C. G. S. Avec Carte et Planches. A Paris, chez Mignière et Desenne. Octavo. pp. 15. 1814.*

This work comprehends science so abstract, and posi\*

tions so new; that it would be impertinent in us to enter into the enquiry, without a depth and diffusion of argument, that would monopolize the whole of our number.

We read, that astronomy was known and cultivated, in various parts of the globe, three thousand years before the christian era. Indeed, we may, reasonably, believe it to have been a much more ancient study, as Josephus evidently shews us, that this delightful science was well known to the Antediluvians.

From an habitual contemplation of the heavenly bodies, we ascertain, that the sun and the moon, are the pre-eminent luminaries. We discover that they, in common with the stars, rise in the east and set in the west. The stars which we perceive in the path of the sun, as to-day, will disappear in a few evenings, lost in the splendour of his superior rays. Shortly, however, they will be again visible, rising in the morning, but diverging from the sun from day to day, till they disappear, and are succeeded by other stars, which, alternately, pursue a similar course.

These observations must have founded the elementary principles of astronomy; and, thence, a classification of the fixed stars has been, eventually, established: and, certainly, previous to the invention of the zodiac, or hieroglyphic signs, now laid down in the celestial globe.

With the earliest practice of agriculture, astronomy must have dawned in the untutored minds of the primitive labourers in the field. The computation of time, and the change of seasons, must have been known to them, by the motions of the sun, the variation in shadows, or the local rising and setting of certain fixed stars. Hence, we may date the original kalendar, or division of hours, days, months, years, and seasons, to have been regulated, from time immemorial, by the movements of the heavenly bodies.

But, our author describes the signs of the zodiac not to have been the origin of astronomical discoveries, which he ascribes to the navigators, in the Caspian sea, 1400 years before the christian era. It is true, that the navigator could not have attempted the perils of the boundless ocean—he could not have adventured on the trackless deep, had he not been inspired with confidence, by astronomical observation; still, we cannot suppose, that traffic preceded agriculture.

With the aid of a gnomon which, most probably, was the first astronomical instrument, we ascertain the varia-



tions of the sun's altitudes, and trace his motion from south to north, and from north to south. When the days and nights are of an equal length, the torpor is removed from the produce of the earth, and vegetation gradually revives. Hence, this period is called the vernal equinox. We will not pursue the progress of the sun, and its consequent influence, to and from the autumnal equinox, as we should involve ourselves in scientific disquisition that would lead to endless enquiry.

With respect to the positive assertion, therefore, of our author, we deem it of little moment to the astronomer, whether the zodiac, as we have been accustomed to view it in celestial globes, were the original invention of the inhabitants of Caucasus, of Chaldæa, or of Egypt. The grand object of astronomers has been, to class the constellations, called the twelve signs of the zodiac, so as to be scientifically acknowledged; and, any argument calculated to remove long established principles, however ingenious, will incur the risk of being denominated a chimerical pursuit.

This elaborate treatise is embellished with a very fine plate of the heavenly bodies, and with other emblematical engravings.

**Art. XII.—***Mémoire Explicatif sur la Sphere Caucasienne et spécialement sur le Zodiaque.* Quarto. Pp. 53. Paris, Migneret et Desenne.

Our author sets out with asserting, that all knowledge is perfected by public discussion. We are of the same opinion; but the motives which guided us, in the preceding question on the zodiac, leave us nothing new to urge on the renewal of the question.

**Art. XIII.—***Encore quelques Arguments contre le Zodiaque.* Octavo. Pp. 16. Paris, Migneret et Desenne.

This is a mere prolongation of the question relating to the zodiac. We refer, as in the preceding article.

**Art. XIV.—***Della Lingua Toscana, di Benedetto Buoninsegni pubblicato l'ottobre di quest'anno nello studio plenario Fiorentino. Libri due.* Edizione sesta veneta. Con particolar diligenza impressa secondo

Fesemplare de Firenze. Revistore corretto d' Agli Accademici della Crusca. In Venezia. Antonio Bortoli. Quarto, pp. 356.

Good style in conversation, and in writing, is wholly dependant on a familiarity with good society and good authors. Of the first advantage, foreigners, who are not travellers, are altogether deprived; but the second is, always, dependant on themselves.

The Italian is a favorite, and, decidedly, a beautiful language; but it is difficult to attain that exquisite accent which communicates all its peculiar harmony. Teachers, in general, do not possess it themselves. No accent is correct, except the Tuscan: and no treatise is so well calculated, as the one before us, to lead the student to this desirable attainment. It is an elementary work, by a man of profound learning, and has passed through the revision and correction of the Della Crusca academy. It well deserves the attention of the Italian scholar.

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ART. XV.—*Scelta di Novelle di Giovanni Boccacio*, fatte dal Dottore Giuseppe Giannini.] In Londra. Wingrave, 12mo. pp. 279.

Having, with the preceding work, introduced the elements of the Italian language to our readers, we proceed to recommend books for their progressive study.

The name of Boccacio is a passport to any work; and Doctor Giannini has compiled this volume from short novels, written by that celebrated wit, which are designed to improve and to entertain the student. Prose writing, in the Italian language, is much less difficult to read than poetry. The latter abounds in ellipsis, and poetic license; still, Metastasio is, usually, given to a young beginner, as he is not difficult to translate. We recommend this book.

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ART. XVI.—*Il vero Modo di piacere in compagnia*, Opera dedicata all'istruzione e recreazione della gioventù da Carlo Monteggia. Londra. Longman: 12mo. pp. 315.

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This volume is composed of essays, in Italian and French, to assist the study, and to improve both languages at the

same time. The subjects are well chosen, and exemplify the title—'THE ART OF PLEASING IN SOCIETY.' These lessons will be found much more moral, and quite as entertaining, as my Lord Chesterfield's letters.

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ART. XVII.—*Scelta di Lettere familiari* degli autori più celebri, ad uso degli studiosi della lingua Italiana. Con accenti che indicano la pronunzia di tutti le voci dubbie. Raccolta da Leonardo Nardini. Seconda Edizione. Londra: Dulau. 1 vol. 12mo. pp. 275.

These familiar letters are selected from the writings of Algarotti, Barretti, Ganganelli, Matastasio, Zeno, Tasso, Bentivoglio, Castiglione, and other celebrated persons, and, are eminently calculated to make the reader conversant with good style. Words, difficult of pronounciation, are accented; and, a vocabulary is added, which is critically explanatory of the true pronounciation of the leading vowels, on which, the whole system may be said to be dependant. It is a useful and pleasing collection.

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ART. XVIII.—*Cottage Sketches*, or Active Retirement. A Novel, by the Author of 'An Antidote to the Miseries of Human Life, Talents Improved, &c. 2 vols. 12mo. pp. 249. Gale and Co. 1814.

Good language without interest.

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ART. XIX.—*Things by their Right Names*. A Novel. 2 vols. bds. pp. 289, 292. Robinsons. 1814.

The most fastidious reader—the greatest declaimer against this species of writing, must admit a moral tendency, in a superior degree, throughout this novel.

The characters of Edward and Caroline are worthy of imitation; and those of an avaricious father and selfish step-mother, are well contrasted with that of a generous uncle. The history of the ring, though an old idea, is placed under new circumstances; a watchful guardian makes it the test of virtue in his ward—but, our heroine, under the most trying circumstances, achieves a conquest over the ring, with the affections and estate of the old gentleman.

To our fair readers we may, in the concluding words of the author, safely say, 'go and do thou likewise.'

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